



**COUNCIL AGENDA  
FOR THE BRAWLEY CITY COUNCIL &  
COMMUNITY REDEVELOPMENT AGENCY  
Regular Meeting  
Tuesday, January 17, 2012 @ 6:00 PM**

**Brawley Council Chambers  
383 Main Street  
Brawley, California 92227**

***George A. Nava***, Mayor  
***Sam Couchman***, Mayor Pro-Tempore  
***Miguel C. Miranda***, Council Member  
***Ryan E. Kelley***, Council Member  
***Don C. Campbell***, Council Member

***Alma Benavides***, City Clerk  
***Jim Hamilton***, City Treasurer  
***Dennis H. Morita***, City Attorney  
***Rosanna Bayon Moore*** City Manager/  
Executive Director

**CALL TO ORDER**

**ROLL CALL**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

**1. PUBLIC APPEARANCES/COMMENTS** (Not to exceed 4 minutes) *this is the time for the public to address the Council on any item not appearing on the agenda that is within the subject matter jurisdiction of the City Council. The Mayor will recognize you and when you come to the microphone, please state your name for the record. You are not allowed to make personal attacks on individuals or make comments which are slanderous or which may invade an individual's personal privacy. Please **direct your questions and comments to the City Council.***

## **2. DEPARTMENTAL REPORTS**

- a. Fire Station No. 2 Project & Financing Update. **Pp 04-05**
- b. FY 2011-2012 CMAQ Funding, CNG Street Sweeper – Yazmin Arellano, Public Works Director

**3. CONSENT AGENDA** Items are approved by one motion. Council Members or members of the public may request consent items that be considered separately at a time determined by the Mayor.

- a. Approve Accounts Payable for:    December 16, 2011 **Pp 06-08**  
   December 28, 2011 **Pp 09-11**  
   December 29, 2011 **Pp 12**  
   January 5, 2012 **Pp 13-14**
- b. Approve request permit to sell alcohol in Cattle Call Park for the fifth annual “Chavez Celebration Community Celebration” on March 31, 2012. **Pp 15-25**
- c. Award bid to A & R Construction Inc. for Concrete Slab for Project No. 2011-18, at Water Treatment Plant for an amount of \$10,915.00. **Pp 26-28**

## **4. REGULAR BUSINESS**

- a. Discussion/action on Abandoned Vehicle Ordinance No. 2010-06. **Pp 29-38**
- b. Discussion/action of designation of the City of Brawley as Successor Agency for the Brawley Community Redevelopment Agency. **Pp 39-40**
- c. Adoption of Resolution No. 2012- : Resolution of the City Council of the City of Brawley, California making a Declaration Pursuant to AB936 with Respect to Matters of Forgiveness of loans, advances, or other indebtedness of the Brawley Community Redevelopment Agency. **Pp 41-42**
- d. Adoption of Resolution No. 2012- : Resolution of the City Council of the City of Brawley, California making a Electing to serve as a Successor Agency to the Brawley Community Redevelopment Agency Pursuant to Part 1.85 of the California Community Redevelopment Law and taking certain actions in connection therewith. **Pp 43-50**
- e. Discussion/Action regarding Video Documentation of Brawley City Council Meetings for four (4) month trial basis. **Pp 51-53**

**5. RECONVENE AS THE COMMUNITY REDEVELOPMENT AGENCY**

- a. Adoption of Resolution No. 2012- : Resolution of the Community Redevelopment Agency of the City of Brawley, California making a Declaration Pursuant to AB936 with Respect to Matters of Forgiveness of loans, advances, or other indebtedness of the Brawley Community Redevelopment Agency. ***Pp 54-57***

**6. COUNCIL MEMBER REPORTS**

**7. CITY MANAGER REPORT**

**8. CLOSED SESSION**

- a. Conference with Labor Negotiator  
Agency designated representative: Rosanna Bayon Moore, City Manager  
Employee organizations:  
(a) Brawley Public Safety Employees Association  
(b) Brawley Police Sergeants Association  
(c) Brawley Firefighters Local No. 1967  
(d) Teamsters Local 542  
(e) Management, Confidential & Unrepresented Employees
- b. Conference with Legal Counsel – Anticipated Litigation Initiation of Litigation pursuant to Subdivision (c) of Section 54956.9 one (1) potential case
- c. Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9(a)):
1. City of Brawley vs. La Paloma
  2. City of Brawley vs. Springhouse

**ADJOURNMENT** Adjourn to ***Tuesday, February 7, 2012 @ 6:00 PM***, City Council Chambers, 383 Main Street, Brawley, California. Supporting Documents are available for public review in the Office of the City Clerk, 383 Main Street, Brawley, California 92227 - Monday through Friday during Regular Business Hours; Individuals who require special accommodations are requested to give 48 hours prior notice. Contact: Alma Benavides, City Clerk @ 760-351-3080.

*Alma Benavides*, City Clerk



January 12, 2012

To: Mayor and Council Members  
Rosanna Bayon Moore, City Manager

From: Francisco Soto, Building Official

Re: Fire Station # 2 Financing

The Fire Station project was undertaken based on financing from two sources. These are identified as Program Income, which is developed from CDBG and other grant loan payments from City loan recipients. The City received a waiver from the State to use these funds in the amount of \$700,000 for the purpose of construction of Fire Station No. 2. In addition, the City determined that \$1.5 Million in RDA funds would be used for the construction of Fire Station. The total amount designated for the project amounts to \$2.2 Million.

A responsible contract bid for construction of the station in the amount of \$2.7 Million was received. Several items were eliminated from the contract in order to reduce the contract amount to a figure more in line with the revenue designated for the construction. The items include a generator, an air compressor, CMU site walls, rolling gates, personnel gates, flooring, a concrete hose drying ramp, a lighted monument sign, a parking shade canopy, appliances, furniture, and an exhaust system for the engine bays. These items were titled "Additives" and the City determined that financing for these items, as well as the remaining \$300,000 that the contracted amount exceeded the designated funding, would be obtained during construction. Staff was directed to find additional funding and to include the sale of extraneous property as a source of funds for the Fire Station.

Construction on the fire station began in the summer of 2011. At the present pace of construction, it is projected that the construction will be completed in March of 2012. During the construction period. The City received an addendum to its Program Income Waiver that allows additional funding of the station with Program Income funds up to an additional \$1.5 Million. This fund, however, is accumulated by the City at the rate of approximately \$15,000 a month. A plan to sell extraneous City property is under way.

Through December 2011, payments on the fire station construction have amounted to \$1,406,937. These payments have been made with \$424,771 in Program Income funds, and with \$982,166 in RDA funds.

\$1,117,057 is owed on the present fire station contract. In addition, required "Additives," a total of were initially removed from the contract for later funding, amount to \$116,946.63. It is estimated that both RDA and Program Income funds will total \$754,818 by June of 2012, leaving a shortfall of \$479,185.63 for Fire Station No. 2 funding. At the present time, it is not probable that the sale of extraneous City property will make up this shortfall. The development of Program Income funds, though amounting to enough funding in total, will be unable to accumulate rapidly enough to take care of the amount needed.

The City is in need of \$479,185.63 by June of 2012 in order to allow for the payment of the Fire Station No. 2 contract and to complete the Additives that are needed to make the Station properly operational.

## Check Register Report

City of Brawley

Date: 12/16/2011

Time: 2:57 PM

Page:

Check Number	Check Date	Status	Vendor Number	Vendor Name	Check Description	Amount
16555	12/16/2011	Printed	A242	A T & T	Telephone Services	36.4
16556	12/16/2011	Printed	A343	ACME SAFETY & SUPPLY CORP.	Arrow Board Rental	350.9
16557	12/16/2011	Printed	A371	ADT SECURITY SERVICES INC.	Alarm Monitoring Admin. Bldg.	127.11
16558	12/16/2011	Printed	A218	AE CONSULTING, INC.	Airport Taxiway Rehabilitation	5,900.00
16559	12/16/2011	Printed	A126	ALSCO AMERICAN LINEN DIV.	Cleaning Services	242.60
16560	12/16/2011	Printed	A001	YAZMIN ARELLANO	Reimb. Travel DBE Efforts	25.50
16561	12/16/2011	Printed	A688	AT&T LONG DISTANCE	Long Distance Phone Service	8.38
16562	12/16/2011	Printed	A461	AT&T-CALNET 2	Telephone Services 11/03-12/02	32.32
16563	12/16/2011	Printed	A138	ATCO INTERNATIONAL	Swipes	95.95
16564	12/16/2011	Printed	A593	AUTO ZONE, INC.	Return Clamp Tool	253.47
16565	12/16/2011	Printed	A504	AWS DREDGE, INC.	Sludge Removal WWTP	255,975.00
16566	12/16/2011	Printed	B700	THE BANK OF NEW YORK	Tax Alloc Bonds BRAWLEY06	1,700.00
16567	12/16/2011	Printed	B045	CHRISTOPHER R BASS	Refund Deposit 1045 Ash Street	175.92
16568	12/16/2011	Printed	B627	BIG J FENCING INC	Replace Roll Gate/WWTP	1,885.06
16569	12/16/2011	Printed	B971	SHIRLEY BONILLAS	Reimb. Appreciation Gifts	939.97
16570	12/16/2011	Printed	B390	BRAWLEY AUTO BODY	Repair Fender P.D. #909	570.23
16571	12/16/2011	Printed	B269	BRAWLEY TRACTOR PARTS	Washers Sweeper #15	77.11
16572	12/16/2011	Printed	B270	BRAWLEY TRAILER SUPPLY	Propane	27.47
16573	12/16/2011	Printed	B122	BRAWLEY WORKWEAR & SHOES	Safety Boots for J. Gutierrez	146.76
16574	12/16/2011	Printed	C745	CALIFORNIA CONTRACTORS	Wrench Sets	173.78
16575	12/16/2011	Printed	C123	VIRIDIANA Y. CATLETT	Zumba Instructor November	229.50
16576	12/16/2011	Printed	C441	JEFF CAUDILL	Travel Adv. Supervisory Leader	518.22
16577	12/16/2011	Printed	C163	KARINA CENICEROS	Refund Overpmt 976 David St.	33.22
16578	12/16/2011	Printed	C339	RICHARD CHACON	Refund Deposit 1160 River Dr.	69.56
16579	12/16/2011	Printed	C438	CHAVEZ LANDSCAPE	Tree Removal/City Hall	2,290.00
16580	12/16/2011	Printed	C472	CLAIREMONT EQUIPMENT, INC.	Light Tower Rental	68.25
16581	12/16/2011	Printed	C943	COLDWELL BANKER	Refund Overpmt 1097 D Street	195.74
16582	12/16/2011	Printed	C717	COMPUCOM, INC.	Microsoft Software	28,930.26
16583	12/16/2011	Printed	C517	SUSAN CORPUZ	Refund Dep. Overpmt 325 Allen	153.79
16584	12/16/2011	Printed	C879	COUNTY OF IMPERIAL	Reverse 911 Cost Sharing Plan	4,509.00
16585	12/16/2011	Printed	C129	CREDIT BUREAU OF IMP. COUNT	Pre-Employment Credit Report	109.00
16586	12/16/2011	Printed	C347	MARIA CRISTOBAL	Softball Umpire 11/30, 12/7	40.00
16587	12/16/2011	Printed	C033	CSMFO	Membership Dues/Ruby Walla	110.00
16588	12/16/2011	Printed	C353	CURTIS ROADRUNNER LOCK & SAFE	Re-Key Building/Admin. Bldg	314.34
16589	12/16/2011	Printed	D997	DEPARTMENT OF PUBLIC HEALTH	Drinking Water Loan 1997RX103	498,774.78
16590	12/16/2011	Printed	D829	NICOLE DI CORI	Refund Overpmt 988 Calle Luna	60.27
16591	12/16/2011	Printed	D032	PEGGY & DALE DIXON	Refund Overpmt 932 W Steven	33.22
16592	12/16/2011	Printed	E145	ELMS EQUIPMENT	Tent Rental	1,843.58
16593	12/16/2011	Printed	E171	EMERGENCY MEDICAL PRODUCTS,	Medical Supplies	253.47
16594	12/16/2011	Printed	E398	EMPIRE SOUTHWEST LLC	Performed Level 1/WWTP	201.00
16595	12/16/2011	Printed	F940	FAILSAFE TESTING	Tested Ladder F.D. #3991	582.00
16596	12/16/2011	Printed	F358	THE FAIR STORE	Safety Boots for Pablo Lopez	150.00
16597	12/16/2011	Printed	F105	FEDERAL EXPRESS CORP.	Mailings for Police Dept.	17.96
16598	12/16/2011	Printed	G075	ANA GUTIERREZ	Travel Reimb. DBE Efforts	25.50
16599	12/16/2011	Printed	H158	HD SUPPLY WATERWORKS, LTD.	PVC Pipe	946.96
16600	12/16/2011	Printed	H189	JESUS EUSEBIO HERRERA	Refund Deposit 1334 Adler St.	115.16
16601	12/16/2011	Printed	H105	HI-WAY SAFETY INC.	Traffic Sign Brackets & Signs	2,480.65
16602	12/16/2011	Printed	H089	SANDRA HOSKINS	Refund Deposit 1146 Chestnut	176.68
16603	12/16/2011	Printed	H377	HYDRAULICS & BEARING SUPPLY IN	Snap Rings Sweeper #15	34.16
16604	12/16/2011	Printed	I004	IMPERIAL CO TRANSPORTATION	Trans IVAG Shared Cost 2nd Qtr	4,479.24
16605	12/16/2011	Printed	I490	IMPERIAL COUNTY AUDITOR	County Portion Parking Tickets	3,016.90
16607	12/16/2011	Printed	I301	IMPERIAL HARDWARE CO., INC.	Stencil Paper, Plier	721.08
16608	12/16/2011	Printed	I103	IMPERIAL IRRIGATION DISTRICT	Power Bills Oct. 26 to Nov. 28	61,910.41
16609	12/16/2011	Printed	I443	IMPERIAL PRINTERS	Airport Rehabilitation Plans	1,091.77

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16610	12/16/2011	Printed	I975	IMPERIAL VALLEY HUMANE SOCIETY	Animal Control December 2011	4,500.00
16611	12/16/2011	Printed	I567	IMPERIAL VALLEY PRESS	1 Year Subscription	29.70
16612	12/16/2011	Printed	I394	INTERNAL CONTROL	Pre-Employment Polygraphs	250.00
16613	12/16/2011	Printed	I218	INTERSTATE BATTERY	Batteries P.D. 931, 934	518.10
16614	12/16/2011	Printed	M438	LAW OFFICES OF JONES & MAYER	Attorney Services: P.D. Legal	105.00
16615	12/16/2011	Printed	K731	KEARNY PEARSON FORD, LLC.	Transmission P.D. #907	2,755.60
16616	12/16/2011	Printed	L750	LAS CHABELAS RESTAURANT INC	Staff Appreciation Luncheon	431.00
16617	12/16/2011	Printed	L599	LEE & RO. INC.	WWTP Improvements Project	75,449.50
16618	12/16/2011	Printed	L499	LIBERTY MOTORSPORTS INC.	Service P.D. Motor Unit	1,168.80
16619	12/16/2011	Printed	L253	LOWE'S HIW INC.	Refrigerator	1,232.60
16620	12/16/2011	Printed	M206	MALLORY FIRE	Bunker Pants	535.80
16621	12/16/2011	Printed	M351	SUSAN MANGER	Reimb. Travel SCLLN Meeting	14.00
16622	12/16/2011	Printed	M714	MANPOWER	Temp. Services thru 11/27/11	462.83
16623	12/16/2011	Printed	M871	MAR-CO EQUIPMENT COMPANY	Skid Guards Sweeper #16A	114.02
16624	12/16/2011	Printed	M004	MCNEECE BROS OIL COMPANY	Fuel/Public Works	278.93
16625	12/16/2011	Printed	M780	SONIA MERCADO	Softball Scorekeeper 11/30, 12/7	40.00
16626	12/16/2011	Printed	M765	GEOR MITCHELL BUILDERS, INC.	Install Modular Parts/Airport	5,137.00
16627	12/16/2011	Printed	M804	MYLO JANITORIAL	Cleaning Services	5,675.87
16628	12/16/2011	Printed	N418	NEXTEL COMMUNICATIONS, INC.	Cell Phone Charges Various	254.67
16629	12/16/2011	Printed	N045	NORTHEND AUTOPARTS, INC.	Filters P.D. #932	163.04
16630	12/16/2011	Printed	0567	JIM O'MALLEY PLUMBING	Brass Fittings	473.06
16632	12/16/2011	Printed	O125	OFFICE SUPPLY CO.	Appointment Book	2,146.25
16633	12/16/2011	Printed	O824	OFSI	Police Copier Dec. Lease	247.03
16634	12/16/2011	Printed	O113	OK RUBBER TIRES	Repair Flat Tire	650.78
16635	12/16/2011	Printed	O901	ORANGE COMMERCIAL CREDIT	Microbiology Analysis	1,190.00
16636	12/16/2011	Printed	P344	PADRE JANITORIAL SUPPLIES, INC	Janitorial Supplies	452.15
16637	12/16/2011	Printed	P110	PESTMASTER SERVICES	Pest Control/Police Dept.	35.00
16638	12/16/2011	Printed	P167	PETE'S AUTO PARTS	Clamps P.D. #932	5.39
16639	12/16/2011	Printed	P113	PETTY CASH -CITY CLERK	Petty Cash	129.53
16640	12/16/2011	Printed	P229	PONTON INDUSTRIES, INC.	Repair Robicon Drive	12,096.59
16641	12/16/2011	Printed	P558	PRO RECORD STORAGE, INC.	Document Storage	193.55
16642	12/16/2011	Printed	Q740	QUEST DIAGNOSTICS, INC.	Evidentiary Drug Analysis	88.68
16643	12/16/2011	Printed	R964	R. GARCIA CONSTRUCTION	Reimb. Demo Deposit	500.00
16644	12/16/2011	Printed	R651	R.J. SAFETY SUPPLY CO., INC	Gloves	316.46
16645	12/16/2011	Printed	R462	REDDY ICE, CORPORATION	Ice	123.27
16646	12/16/2011	Printed	S155	SAN DIEGO COUNTY	Fire Radlo System Fees Nov.	2,464.50
16647	12/16/2011	Printed	S826	JESUS SANTANA	Softball Umpire 11/30, 12/7	88.00
16648	12/16/2011	Printed	S574	SHARP ELECTRONICS CORPORATI	Copier Maintenance/October	517.10
16649	12/16/2011	Printed	S960	SHELBURNE SERVICES, INC.	Replace Compressor/Gym	5,930.00
16650	12/16/2011	Printed	S885	SIRCHIE FINGERPRINT LABORATORI	Evidence Bags, Tape, Gloves	420.53
16651	12/16/2011	Printed	S858	BRIAN SMITH	Travel Adv. ICI Homicide	1,891.67
16652	12/16/2011	Printed	S495	SOUTHERN CALIFORNIA GAS CO.	187 525 6200 1	85.82
16653	12/16/2011	Printed	S566	SPARKLETTES	Water, Cooler Rentals	1,500.14
16654	12/16/2011	Printed	S689	STAPLES ADVANTAGE	Currency Counter, Pencils	378.81
16655	12/16/2011	Printed	S849	STILLS ELECTRIC	Repair Lighting/Police Dept.	240.45
16656	12/16/2011	Printed	S257	STK ARCHITECTURE, INC.	Emergency Operations Center	10,351.50
16657	12/16/2011	Printed	S977	STEVEN SULLIVAN	Reimb. Travel DBE Efforts	25.50
16658	12/16/2011	Printed	T114	SANDY M TORREZ	Refund Deposit 1120 Pecan St.	175.92
16659	12/16/2011	Printed	U702	U.S. BANK TRUST N.A.	WW Debt Pmt Series 1997	25,000.00
16660	12/16/2011	Printed	U167	UNDERGROUND SERVICE ALERT,	Dig Alert Tickets	19.50
16663	12/16/2011	Printed	U404	UNIFIRST CORPORATION	Uniforms for Rick Breland	6,345.82
16664	12/16/2011	Printed	U630	UNITED PARCEL SERVICE, INC	Mailings for Engineering	39.15
16665	12/16/2011	Printed	V178	JACQUELINE VALADEZ	Refund Deposit 701 S Rio Vista	82.78

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# Check Register Report

City of Brawley

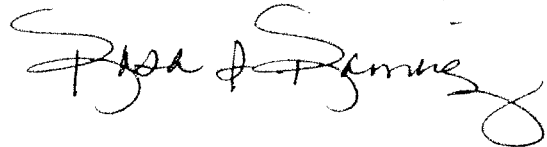
Date: 12/16/2011  
Time: 2:57 P  
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Check Number	Check Date	Status	Vendor Number	Vendor Name	Check Description	Amount
16666	12/16/2011	Printed	V956	RUDY VALLARTA	Softball Umpire 11/30, 12/7	88.0
16667	12/16/2011	Printed	V128	JOSE & ANA I VALLEJO	Refund Deposit 1255 K Street	175.9
16668	12/16/2011	Printed	W221	WAL-MART STORES, INC. #01-1555	Digital Camera, Batteries	315.2
16669	12/16/2011	Printed	W135	WAXIE SANITARY SUPPLY	Janitorial Supplies	397.6
16670	12/16/2011	Printed	W551	WESTERN GROWERS INSURANCE	Safety & Loss Control Training	257.0
16671	12/16/2011	Printed	W100	WILKINSON REAL ESTATE	Refund Overpmt 907 David St.	249.6

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Checks Total (excluding void checks):

1,058,034.9



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Date: 12/28/2011

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Check Number	Check Date	Status	Vendor Number	Vendor Name	Check Description	Amount
16687	12/20/2011	Printed	C312	CA PUBLIC EMP. RETIREMENT SYST	December 2011 Health Insurance	81,131
16688	12/28/2011	Printed	P120	AIRGAS-WEST, INC.	Acetylene, Oxygen Cylind. Rent	108
16689	12/28/2011	Printed	A414	AIRWAVE COMMUNICATIONS ENT INC	Repair Radio Console	975
16691	12/28/2011	Printed	A126	ALSCO AMERICAN LINEN DIV.	Uniform Cleaning Services-ACO	315
16692	12/28/2011	Printed	P765	AMALGAMATED ENTERPRISES LL	Storage Unit Rental B208	345
16693	12/28/2011	Printed	A001	YAZMIN ARELLANO	Reimb. Lunch for Staff Meeting	116
16694	12/28/2011	Printed	A415	AUDIOGO	Audio Books	762
16695	12/28/2011	Printed	B699	JUDI BARRERAS	Refund Basketball Fees	50
16696	12/28/2011	Printed	B971	SHIRLEY BONILLAS	Reimb. Appreciation Gifts	977
16697	12/28/2011	Printed	B210	BRAWLEY CHAMBER OF COMMERCE	January 2012 Allocation	2,863
16698	12/28/2011	Printed	B578	BRAWLEY MASONIC TEMPLE ASSO	Office Space Rent - January	500
16699	12/28/2011	Printed	B132	BRAWLEY PLAZA AUTO	Wash LAMBS Bus	85
16700	12/28/2011	Printed	B411	BSN SPORTS	Home Plate Extension	89
16701	12/28/2011	Printed	C312	CA PUBLIC EMP. RETIREMENT SYST	January 2012 Health Insurance	80,243
16702	12/28/2011	Printed	C803	CAL-TEST	Drug Prevention Fee-December	39
16703	12/28/2011	Printed	C890	CALIFORNIA ASSOCIATION OF CODE	Membership Dues/Rick Breland	75
16704	12/28/2011	Printed	C101	CALIFORNIA JPIA	Reimb. Overpmt/T. Armstrong	395
16705	12/28/2011	Printed	C177	GONZALO & AURORA CASTILLO	Refund Overpmt/134 I Street	65
16706	12/28/2011	Printed	C176	GONZALO CASTILLO	Refund Overpmt/135 I Street	35
16707	12/28/2011	Printed	C862	CDPH-OCP	Grade 1 WT Op. Cert. Fee	70
16708	12/28/2011	Printed	C902	CHEVRON & TEXACO CARD SERVICES	Fuel/Police Dept.	298
16709	12/28/2011	Printed	C853	CRAIG'S CRANE & SERVICES, INC.	Remove, Replace FWP 421 Motor	480
16710	12/28/2011	Printed	C565	JAIME CRISTOBAL	Refund Overpmt/165 J Street	33
16711	12/28/2011	Printed	D402	DAPPER TIRE CO., INC.	Tires/WWTP #106	590
16712	12/28/2011	Printed	D103	DELTA DENTAL	Dental Insurance Dec. 2011	9,201
16713	12/28/2011	Printed	D478	DEPARTMENT OF JUSTICE	DOJ, Fingerprint Applications	96
16714	12/28/2011	Printed	S942	DEPT. OF CONSUMER AFFAIRS	Land Surveyor Lic/Y. Arellano	275
16715	12/28/2011	Printed	D123	DESERT AIR CONDITIONING, IN	A/C Maintenance/Library	504
16716	12/28/2011	Printed	D602	DESERT AUTO PLAZA	Repair Streets Truck #208	1,522
16717	12/28/2011	Printed	D916	JOHNATHAN DICKEY	Refund Overpmt/1116 PECA	33
16718	12/28/2011	Printed	D989	DIGITAL	Copier Staple Cartridge	92
16719	12/28/2011	Printed	E216	EL CENTRO MOTORS	Tire Pressure Monitor/PD #906	956
16720	12/28/2011	Printed	F105	FEDERAL EXPRESS CORP.	Mailings/City Clerk	47
16721	12/28/2011	Printed	F510	FIFTH AVENUE BOOK CENTER	Books	40
16722	12/28/2011	Printed	F883	FINISH LINE PRO BIKE SHOP	Bicycle Tires	77
16723	12/28/2011	Printed	G371	GORDON GASTE	Reimb. Meeting Refreshments	72
16724	12/28/2011	Printed	G182	KARLO & IRMA GUTIERREZ	Refund Basketball Fees	40
16725	12/28/2011	Printed	H119	HAAKER EQUIPMENT CO., INC.	Power Band/Sweeper #15	273
16726	12/28/2011	Printed	H736	HI-TECH SIGNS	Reflective Signs	269
16727	12/28/2011	Printed	H655	HOUR PHOTO	Photo Development	19
16728	12/28/2011	Printed	I102	I. I. D.	Canal Water/Masfield	40,201
16729	12/28/2011	Printed	I889	I.V. RADIOLOGY MEDICAL GROU	Pre-Employment Physical	160
16730	12/28/2011	Printed	I220	IMPERIAL COUNTY AIR POLLUTI	Permit 3695 PTO Lift Station	688
16731	12/28/2011	Printed	I301	IMPERIAL HARDWARE CO., INC.	Batteries, Spray Paint	139
16732	12/28/2011	Printed	I443	IMPERIAL PRINTERS	Paper	38
16733	12/28/2011	Printed	J139	RICARDO JASSO	Reimb. Tuition/Fire Command 1A	120
16734	12/28/2011	Printed	K103	KISCO SALES, INC.	Valves, Repair Kits	209
16735	12/28/2011	Printed	K543	KNORR SYSTEMS, INC.	Heater/Filtration Maintenance	5,571
16736	12/28/2011	Printed	L202	LEAGUE OF CA CITIES-IMPERIA	League Dinner 11/10/11	108
16737	12/28/2011	Printed	L182	LORI'S SANITATION SERVICES	Portable Restroom Rental	493
16738	12/28/2011	Printed	M871	MAR-CO EQUIPMENT COMPANY	Flange, U-Joints/Sweeper #16	129

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Check Number	Check Date	Status	Vendor Number	Vendor Name	Check Description	Amount
16739	12/28/2011	Printed	M004	MCNEECE BROS OIL COMPANY	Fuel/Shop Truck	18,386.
16740	12/28/2011	Printed	M207	MOVIE LICENSING USA	2012 Copyright Compliance	295.
16741	12/28/2011	Printed	M195	MOYLE ELECTRIC	Repair Motor/WWTP	184.
16742	12/28/2011	Printed	N161	NEWCASTLE FARMS, LLC.	Replaced FWP421 Motor/WTP	590.
16743	12/28/2011	Printed	N551	ERIKA NORIEGA	Reimb. Mileage/LAMBS	144.
16744	12/28/2011	Printed	N045	NORTHEND AUTOPARTS, INC.	Lightbulbs/#3964, #3952	352.
16745	12/28/2011	Printed	N159	MELISSA F. NUNEZ	Rfnd Deposit/634 N. El Cerrito	49.
16746	12/28/2011	Printed	0567	JIM O'MALLEY PLUMBING	Washer, Nut, Sink	530.
16747	12/28/2011	Printed	O233	O'REILLY AUTO PARTS	Aluminum Polish/F.D. #3913	21.
16748	12/28/2011	Printed	O880	OFFICE DEPOT, INC.	Binders, Planners, Calendars	378.
16749	12/28/2011	Printed	O125	OFFICE SUPPLY CO.	December Plotter Maintenance	420.
16750	12/28/2011	Printed	O824	OFSI	P.W. Copier Lease/Dec-Jan	2,039.
16751	12/28/2011	Printed	O421	ONE SOURCE DISTRIBUTORS, IN	Mini Lamps	3.
16752	12/28/2011	Printed	O901	ORANGE COMMERCIAL CREDIT	Microbiology Analysis/WWTP	3,080.
16753	12/28/2011	Printed	P344	PADRE JANITORIAL SUPPLIES, INC	Janitorial Supplies	101.
16754	12/28/2011	Printed	P647	ALEJANDRA PAREDES	Refund Deposit/695 Gilmour	176.
16755	12/28/2011	Printed	P110	PESTMASTER SERVICES	Pest Control/Admin. Offices	135.
16756	12/28/2011	Printed	P109	PETTY CASH -BRAWLEY P D	Petty Cash	148.
16757	12/28/2011	Printed	P113	PETTY CASH -CITY CLERK	Petty Cash	20.
16758	12/28/2011	Printed	P243	PETTY CASH-FIRE DEPT.	Petty Cash	20.
16759	12/28/2011	Printed	P370	PIONEERS MEMORIAL HOSPITAL	Evidence Gathering	238.
16760	12/28/2011	Printed	P780	PRINCE & ASSOCIATES	Refund Deposit/849 Edgley	176.
16761	12/28/2011	Printed	P558	PRO RECORD STORAGE, INC.	Document Storage Nov. 2011	66.
16762	12/28/2011	Printed	P644	PSOMAS, INC.	Transit Trans Station Services	36,255.
16763	12/28/2011	Printed	P104	PUBLIC EMPLOYEES RETIREMENT	11/29/11-12/12/11 PERS	98,563.
16764	12/28/2011	Printed	R651	R.J. SAFETY SUPPLY CO., INC	Lens Cleaning Towlettes	64.
16765	12/28/2011	Printed	R702	RADIO SHACK	Batteries	14.
16766	12/28/2011	Printed	R107	RAIN FOR RENT	PVC Tee, Bubblers, Glue	98.
16767	12/28/2011	Printed	R400	RANDOM HOUSE, INC.	Books on CD	303.
16768	12/28/2011	Printed	R247	REAL HOME SERVICES	Refund Overpmt/1300 Adler St.	313.
16769	12/28/2011	Printed	R271	RECORDED BOOKS, LLC	Audio Book	59.
16770	12/28/2011	Printed	R511	RIVERSIDE COUNTY SHERIFF'S OFF	Field Training Officer Update	75.
16771	12/28/2011	Printed	R726	CARMEN ROBLES	Refund Deposit/1039 Alamo St.	5.1
16772	12/28/2011	Printed	R947	C.W. ROEN CONSTRUCTION, CO.	WWTP Improvements 2009-06	139,582.6
16773	12/28/2011	Printed	R168	ROTO ROOTER	Septic Tank Service/CattleCall	425.
16774	12/28/2011	Printed	S574	SHARP ELECTRONICS CORPORATI	Copier Maintenance October	135.
16775	12/28/2011	Printed	S794	SHRM	2012 Membership/S. Bonillas	180.
16776	12/28/2011	Printed	S871	SIGMANET, INC.	VMWare Workstation	150.
16777	12/28/2011	Printed	S480	SMYTH PLUMBING	Repair Men's Restroom Toilet	115.7
16778	12/28/2011	Printed	S921	SOUTHERN CALIFORNIA GAS CO.	Line Extension Contract	1,658.8
16779	12/28/2011	Printed	S495	SOUTHERN CALIFORNIA GAS CO.	187 425 2700 7	6,112.9
16780	12/28/2011	Printed	S689	STAPLES ADVANTAGE	Stapler, Dry Erase Eraser	132.
16781	12/28/2011	Printed	S750	STAPLES, INC.	Ink Cartridge	174.5
16782	12/28/2011	Printed	S712	STIFF EQUIPMENT INC.	Metal for Trailer	489.0
16783	12/28/2011	Printed	S780	SWRCB	Notice of Intent App. Fee	200.0
16784	12/28/2011	Printed	T031	TRAFFIC SAFETY ENGINEERS, INC.	CDBG Pre-Application Services	10,000.0
16785	12/28/2011	Printed	U404	UNIFIRST CORPORATION	Uniforms/Marco Garcia	819.2
16786	12/28/2011	Printed	U630	UNITED PARCEL SERVICE, INC	Mailings/Engineering Dept.	283.4
16787	12/28/2011	Printed	U311	URBAN FUTURES INC.	RDA Project Area #1	8,792.5
16788	12/28/2011	Printed	U413	US YELLOW PAGES	Yellow Pages	229.0
16789	12/28/2011	Printed	V079	VERIZON WIRELESS SERVICES L	IPads Mobile Broadband/Council	1,018.4
16790	12/28/2011	Printed	V904	GUILLERMO & GABRIELL VILLELA	Refund Overpmt/967 Dominguez	156.16

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Check Number	Check Date	Status	Vendor Number	Vendor Name	Check Description	Amo
16791	12/28/2011	Printed	V818	TRUONG VUONG	Refund Overpmt/818 Shelbie Ave	66
16792	12/28/2011	Printed	W221	WAL-MART STORES, INC. #01-1555	Uniforms Pants/Richard Rubio	583
16793	12/28/2011	Printed	W833	WATER TECH	Couplings, Slip Tee	367
16794	12/28/2011	Printed	W551	WESTERN GROWERS INSURANCE SVCS	Safety & Loss Control Training	257
16795	12/28/2011	Printed	W433	LORI WIGG	Refund Deposit/683 S Rio Vista	77
16796	12/28/2011	Printed	X100	XEROX CORPORATION	November Copier Maintenance	623
				109	Checks Total (excluding void checks):	567,970

*Ruby Wall*

# Check Register Report

City of Brawley

Date: 12/29/20

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Check Number	Check Date	Status	Vendor Number	Vendor Name	Check Description	Amount
16797	12/29/2011	Printed	A368	AFLAC INC.	Cancer, Disability Withheld	
16798	12/29/2011	Printed	C889	CALIFORNIA STATE DISBURSEME	Deductions	3,090.0
16799	12/29/2011	Printed	C110	COLUMBUS BANK & TRUST COMPA	Unreimbursed Medical Deduction	688.0
16800	12/29/2011	Printed	C084	CONTINENTAL AMERICAN INS.	Critical Care Withheld	483.0
16801	12/29/2011	Printed	C240	COURT SERVICES (CIVIL)	Deductions	744.0
16802	12/29/2011	Printed	E904	EDFUND	Deductions	75.0
16803	12/29/2011	Printed	F679	FRANCHISE TAX BOARD-VEHICLE	Deductions	230.0
16804	12/29/2011	Printed	F689	FRANCHISE TAX BOARD	Deductions	230.0
16805	12/29/2011	Printed	N944	NATIONAL PLAN COORDINATORS	Deferred Compensation 34023301	1,051.8
16806	12/29/2011	Printed	N187	NATIONWIDE RETIREMENT SOLUTION	Deferred Compensation #05270	7,485.8
16807	12/29/2011	Printed	R770	AURA DALILA RODRIGUEZ	Deductions	1,035.8
16808	12/29/2011	Printed	S325	SUN COMMUNITY FED. CREDIT UNIO	Credit Union Deductions	830.7
16809	12/29/2011	Printed	U110	UNITED WAY OF IMPERIAL COUN	United Way Deductions	2,172.0
						40.0

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Checks Total (excluding void checks):

18,157.9



# Check Register Report

City of Brawley

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Check Number	Check Date	Status	Vendor Number	Vendor Name	Check Description	Amount
16810	01/05/2012	Printed	T902	3M COMPANY, INC.	Security Tags	1,211.57
16811	01/05/2012	Printed	A439	KAREN ADMANI	Refund Deposit 1231 LAVD	54.32
16812	01/05/2012	Printed	A662	SAMUEL AGUIRRE	Refund Deposit 682 S 16th	52.43
16813	01/05/2012	Printed	P120	AIRGAS-WEST, INC.	Acetylene Cylinder Rental	28.48
16814	01/05/2012	Printed	A167	ALL VALLEY FENCE & SUPPLY, INC	Fencing Material	75.85
16815	01/05/2012	Printed	A326	ALLSTAR FIRE EQUIPMENT, INC	Hydrant Wrench Holder	175.65
16816	01/05/2012	Printed	A126	ALSCO AMERICAN LINEN DIV.	Cleaning Services	198.83
16818	01/05/2012	Printed	A593	AUTO ZONE, INC.	Battery F.D. #3901	630.40
16819	01/05/2012	Printed	B971	SHIRLEY BONILLAS	Reimb. Tuition HIST0420, CCS	500.00
16820	01/05/2012	Printed	B261	BRAWLEY ELEMENTARY SCHOOL	RDA Amended Area #1 CRA	46,466.37
16821	01/05/2012	Printed	B190	BRAWLEY PRINTING	Time Request Forms	643.90
16822	01/05/2012	Printed	B270	BRAWLEY TRAILER SUPPLY	Safety Pin	4.84
16823	01/05/2012	Printed	B977	BRAWLEY UNION HIGH SCHOOL	RDA Amended Area #1 CRA	36,272.75
16824	01/05/2012	Printed	B747	BRENNTAG PACIFIC INC.	Sodium Hypochlorite	1,371.88
16825	01/05/2012	Printed	C005	COSTCO WHOLESALE #121	Books, Office Supplies	369.66
16826	01/05/2012	Printed	C347	MARIA CRISTOBAL	Softball Scorekeeper Dec 14-21	40.00
16827	01/05/2012	Printed	C901	ESTATE OF VICTOR CUEVAS	Refund Deposit 534 W. Cady	88.08
16828	01/05/2012	Printed	D171	D & M WATER COMPANY	Bulk Water	41.32
16829	01/05/2012	Printed	D705	THOMAS DAM	Reimb. 2011-12 Property Tax	513.58
16830	01/05/2012	Printed	D103	DELTA DENTAL	Dental Insurance Jan. 2012	9,761.61
16831	01/05/2012	Printed	D381	THE DESIGN SHOP AT DEBBIE'S	Plaque/Severo Torres	79.65
16832	01/05/2012	Printed	E145	ELMS EQUIPMENT	Hedge Trimmer Rental	619.66
16833	01/05/2012	Printed	E171	EMERGENCY MEDICAL PRODUCTS, IN	Gloves	264.79
16834	01/05/2012	Printed	F397	FASTENAL CO.	Drill Bits	15.88
16835	01/05/2012	Printed	F105	FEDERAL EXPRESS CORP.	Mailings/City Clerk	6.20
16836	01/05/2012	Printed	F266	FIRE ETC., INC.	Streamlight	311.06
16837	01/05/2012	Printed	F409	FULLCOURT PRESS	Envelopes, Return Envelopes	1,937.35
16838	01/05/2012	Printed	G825	TERESA GOODSPEED	Refund Deposit 825 Kindig Ave.	75.26
16839	01/05/2012	Printed	H104	HOLMAN PROFESSIONAL COUNSELING	Employee Assistance Jan. 2012	655.50
16840	01/05/2012	Printed	H655	HOUR PHOTO	Photo Processing	40.84
16841	01/05/2012	Printed	I102	I. I. D.	Canal Water Availability Fee	38.00
16842	01/05/2012	Printed	I005	I.V. ECONOMIC DEVELOPMENT CORP	IVEDC Annual Dinner	375.00
16843	01/05/2012	Printed	I220	IMPERIAL COUNTY AIR POLLUTI	Permit 3280 PTO	172.00
16844	01/05/2012	Printed	I139	IMPERIAL COUNTY SUPERINTENDENT	RDA Amended Area #1 CRA	4,061.93
16845	01/05/2012	Printed	I419	IMPERIAL COUNTY TREASURER	RDA Amended Area #1 CRA	84,504.89
16849	01/05/2012	Printed	I301	IMPERIAL HARDWARE CO., INC.	Contact Cleaner, Bulbs	766.08
16850	01/05/2012	Printed	I608	IMPERIAL TRUSS & LUMBER CO	Wood, Nuts	62.05
16851	01/05/2012	Printed	I432	IMPERIAL VALLEY COLLEGE	RDA Amended Area #1 CRA	16,791.02
16852	01/05/2012	Printed	J319	JUPITER VENTURES III, LP	Refund Dep, Overpmt 738 Milano	162.30
16853	01/05/2012	Printed	L895	DENISE M LARA	Refund Deposit 830 Panno	47.64
16854	01/05/2012	Printed	L725	LOGIN, INC.	IACP Net Subscription	800.00
16855	01/05/2012	Printed	L253	LOWE'S HIW INC.	Refrigerator	920.29
16856	01/05/2012	Printed	M714	MANPOWER	Temp. Services thru 12/04/11	1,194.40
16857	01/05/2012	Printed	M113	JOE P. MARQUEZ JR.	Softball Umpire 12/14	44.00
16858	01/05/2012	Printed	M220	DORA A MARQUEZ	Refund Deposit 1055 Ash Street	103.69
16859	01/05/2012	Printed	M334	CHARLES ADRIAN MARTIN	Refund Deposit 696 N. Eastern	126.66
16860	01/05/2012	Printed	M780	SONIA MERCADO	Softball Scorekeeper Dec 14-21	40.00
16861	01/05/2012	Printed	M356	MTM RECOGNITION	Employee Service Adwards	764.27
16862	01/05/2012	Printed	N418	NEXTEL COMMUNICATIONS, INC.	Cell Phone Charges/Council	248.11
16863	01/05/2012	Printed	N375	JEFF NGUYEN	Reimb. Travel Field Training	122.26
16864	01/05/2012	Printed	N551	ERIKA NORIEGA	Refund Voluntary Life Ins.	410.40

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City of Brawley

Date: 01/05/2012

Time: 11:10 AM

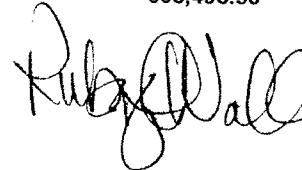
Page: 2

Check Number	Check Date	Status	Vendor Number	Vendor Name	Check Description	Amount
16865	01/05/2012	Printed	O125	OFFICE SUPPLY CO.	Planner Refill	36.62
16866	01/05/2012	Printed	P344	PADRE JANITORIAL SUPPLIES, INC	Janitorial Supplies	135.66
16867	01/05/2012	Printed	P928	PARAMOUNT REAL ESTATE	Refund Dep, Overpmt 960 Martin	168.84
16868	01/05/2012	Printed	P254	PITNEY BOWES INC.	Ink Cartridges, Tape Strips	253.65
16869	01/05/2012	Printed	P257	PITNEY BOWES	Postage Machine Lease	384.00
16870	01/05/2012	Printed	P780	PRINCE & ASSOCIATES	Refund Dep, Overpmt 729 B St.	243.10
16871	01/05/2012	Printed	P903	PRINCIPAL FINANCIAL GROUP	Life Insurance - January 2012	3,632.52
16872	01/05/2012	Printed	P451	PRINTING SYSTEMS, INC.	Business License Bills	310.48
16873	01/05/2012	Printed	P104	PUBLIC EMPLOYEES RETIREMENT	12/13/11-12/26/11 PERS	98,436.53
16874	01/05/2012	Printed	R249	REAL HOME SERVICES & SOLUTIONS	Refund Deposit 440 I Street	49.40
16875	01/05/2012	Printed	S894	LUIS SANCHEZ	Reimb. Travel Courtroom	51.00
16876	01/05/2012	Printed	S826	JESUS SANTANA	Softball Umpire 12/14, 12/21	88.00
16877	01/05/2012	Printed	S936	TERESA SKREPENSKI	Reimb. December Mileage	88.80
16878	01/05/2012	Printed	S641	GLENNA SMITH	Refund Dep, Ovrpmt 638 Gilmour	207.43
16879	01/05/2012	Printed	S888	LAURA SOBERANES	Refund Deposit 1124 Ash Street	176.68
16880	01/05/2012	Printed	S412	SONIA CORINA, INC.	Dial A Ride January 2012	15,330.00
16881	01/05/2012	Printed	T522	PATRICIA THOMPSON	Refund Deposit 696 N Eastern	12.01
16882	01/05/2012	Printed	T306	TIMEPAYMENT CORP.	Drinking Water Service/P.D.	65.79
16883	01/05/2012	Printed	U630	UNITED PARCEL SERVICE, INC	Mailings/Fire Dept.	6.51
16884	01/05/2012	Printed	U901	UNITED STATES POSTAL SERVIC	City Hall Postage Refill	707.83
16885	01/05/2012	Printed	U505	URBAN AMERICAN PROPERTIES	Refund Dep, Ovrpmt 1203 Duarte	226.30
16886	01/05/2012	Printed	V956	RUDY VALLARTA	Softball Umpire 12/21	44.00
16887	01/05/2012	Printed	V452	VISION SERVICE PLAN (CA), I	January Vision Insurance	2,985.20
16888	01/05/2012	Printed	W351	MARICELA WEBSTER	Reimb. Mileage Jul thru Dec	33.64
16889	01/05/2012	Printed	W265	WILBUR-ELLIS CO.	Refund Dep, Overpmt 4710 HW111	372.25
16890	01/05/2012	Printed	Z032	ZOLL MEDICAL CORPORATION	Electrodes Pads	189.64

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Checks Total (excluding void checks):

338,498.58



**COUNCIL AGENDA REPORT**  
City of Brawley

Meeting Date: January 17, 2012

City Manager: RBW

**FROM:** Prepared by: Karin J. Morgan, Director of Parks and Recreation  
Presented by: Karin J. Morgan, Director of Parks and Recreation

**SUBJECT:** Alcohol Permit for the fifth annual "Cesar Chavez Community Celebration" in Cattle Call Park.

**CITY MANAGER RECOMMENDATION:** Approve permit to sell alcohol provided that all insurance, security and rental requirements are met.

**DISCUSSION:** The Institute for Socio-Economic Justice has requested the use of Cattle Call Park for their fifth annual "Cesar Chavez Community Celebration" to be held on March 31, 2012. The event is free to the public and will include both professional and local musicians.

City Council approval is required to sell alcohol on public property. Parks and Recreation staff will be working closely with the Police Chief, Public Works Director and Risk Management to assure that all requirements of the City's "Guidelines for use of Public Facilities" are met.

**FISCAL IMPACT:**

**ATTACHMENTS:** Guidelines for Use of Public Facilities



## CITY OF BRAWLEY

### PARKS, RECREATION, AND COMMUNITY SERVICES

#### GUIDELINES FOR USE OF PUBLIC FACILITIES

The City of Brawley welcomes and encourages community groups and individuals to use parks and recreation facilities. Certain parks and facility space may be reserved for various functions, provided that such use does not conflict with regularly scheduled parks and recreation department programs.

Any organization, group, or individual desiring reserved use of a park and recreational facility must make application to the parks and recreation department on forms provided. The Director, subject to the availability and the applicant's eligibility will approve reservations. Approval shall be granted only to responsible adults. The applicant is required to be in attendance (during the entire event) at the function for which the application is made.

City government functions and recreation programs shall have priority over other uses of all parks and recreation facilities. Priority for use of facilities as follows:

**GROUP I:** Resident groups, organizations, or schools, holding functions which provide a community service in the area of education recreation, health or welfare and are free to the participants.

**GROUP II:** Resident groups, organizations or schools, holding functions, which provide a community service in the area of education, recreation, health, or welfare for which participants are charged.

**GROUP III:** Resident, private party

**GROUP IV:** Non-Resident, private party

**GROUP V:** Commercial

#### **INELGIBLE ORGANIZATIONS:**

City facilities may not be used by any group or organization, which has as its objective the overthrow of the United State government by any individual or organization deemed subversive as defined in the State of California code.

Permission for use of the city's facilities is subject to all rules and regulations governing the use of said facility. Permission may be revoked at any time for failure to adhere to prescribed rules. No use shall be permitted if it is determined to be contrary to the interest of the City of Brawley.

All persons, groups, or organization using public facilities must abide by municipal, State and Federal laws. ***ALCOHOLIC BEVERAGES ARE PROHIBITED ON CITY PROPERTY***, except by City Council approval. Smoking is prohibited in all public buildings and within 20 feet of all play equipment, play grounds, bleachers and seating areas where the public gathers to witness sporting, cultural or other event.(Ordinance 2001-06)

#### **RESERVATIONS:**

Reservations for use of facilities may be made up to six (6) months in advance and not less than two (2) weeks prior to usage, provided that the deposit is paid at the time of approval and that all rent, estimated fees and estimated personnel costs are paid two weeks prior to the function. Deposits and all estimated costs must be in the form of a cashier's check, payable to the City of Brawley. Non-payment will result in cancellation of the reservation.

#### **DEPOSIT:**

All renters will be required to make a cleaning/damage deposit. The deposit is refundable by city check, subject to the conditions of the facility or other reasons, and will be sent by mail approximately twenty (20) days after the date of usage.

#### **ESTIMATED FEES AND PERSONNEL COSTS:**

All estimated fees and personnel costs must be paid two weeks prior to the function. Overpayment of fees is refundable by city check, subject to condition of facility or other reason, and will be mailed approximately twenty (20) days after the date of usage. If personnel and use fees exceed estimates, all fees must be paid within (30) days.

**CANCELLATION CLAUSE:**

Any group not giving sufficient notice of cancellation (7 days) shall forfeit deposit fee. The City of Brawley reserves the right to cancel any agreement if a use is misrepresented or if a use is determined to be inappropriate, a high risk liability exposure or detrimental to the facility and/or surrounding neighborhood.

**FACILITY ATTENDANT**

A member of the city staff will be on duty, at all times, while facilities are being used unless otherwise specified by the City. The employee shall have full access to all activities at any time in order to insure that all rules, regulations, city and state laws are being observed.

**INSURANCE REQUIREMENTS**

The City requires proof of liability insurance in the minimum amount of \$ 1,000,000, naming the City of Brawley as additional insured, for the use of the Lions Center, the Lions Center Pool, the Brawley Senior Center, the Brawley Teen Center, The Del Rio Community Center, the Cattle Call Arena and horseshow ring. The City may require proof of liability insurance from any user of any public facility, if it deemed necessary. Proof of Insurance must be received two weeks prior to usage.

**LIABILITY:**

It is distinctly understood and agreed that the applicant assumes all risk of loss, damage, liability and injury. Cost and expense that may arise during or be caused in any way by such use or occupancy of the facilities, the applicant will save and hold the city harmless for any loss, claims and liability or damages, and/or injury to persons and property that in any way may be caused by the applicants use or occupancy of said facilities.

**SECURITY**

The City shall require security guards licensed and certified by the State of California as deemed necessary by the Parks and Recreation Director. The minimum number of guards will be determined and approved by the City Police Chief. Guards should be scheduled ½ hour before and ½ hour after each function.

**SET UP & CLEAN UP:**

Renters are responsible for their own set-up and clean up and the rental agreement must include adequate time to accomplish these tasks. Tables and chairs must be wiped clean and put away; floors must be swept and mopped. Mops and brooms will be made available. Both the inside and outside of the facility must be left clean. A charge per man, per hour, will be deducted from the cleaning/damage deposit for any additional clean up provided by city staff. With the Parks and Recreation Director's approval city staff may be made available for clean up of a facility at an additional per man per hour charge.

**PLASTIC GARBAGE BAGS:**

When using the Lions Center tie and seal all trash in 33-gallon heavy-duty trash bags and place neatly near the North exit. Any group not adhering to this will have additional clean up charges deducted from their deposit. Refuse bins may be required for special functions.

**MISCELLANEOUS:**

No advertising shall be exhibited, no petitions shall be circulated, no solicitations or sales shall be made in the building or on the ground without written permission from the Parks and Recreation Director.

**SECTION II**

***ADDITIONAL REQUIREMENTS FOR USE OF PUBLIC FACILITIES FOR COMMERCIAL AND  
COMMUNITY EVENTS  
THAT HAVE OBTAINED CITY COUNCIL APPROVAL***

**GENERAL**

Applications for events selling alcohol and or requiring security must be made three months in advance. Applicants must pay rental fees, all personnel costs, have security approved and provide proof of insurance thirty (30) days prior to event.

#### **ALCOHOL PERMITS:**

With City Council approval alcohol permitted for sale and consumption for groups I, II, and V, provided that their event is for the benefit of the community. This would include but not be limited to Non-profit fundraisers benefiting community organizations and commercial entertainment providing cultural, recreational or educational opportunities for the public. (Ordinance 2009-06)

#### **INSURANCE REQUIREMENTS**

Any group approved by the City Council to serve or selling alcohol must obtain a minimum of \$ 1,000,000 in Liquor Liability insurance. Proof of insurance must be received two weeks prior to event and is in addition to liability insurance requirements.

#### **SECURITY**

When alcohol is permitted to be served, there must be adequate security, approved by the Brawley Police Department. The Police Chief will determine if any special duty officers and/or traffic control officers are needed for the event. The user shall pay all costs for the City staff. Security must be finalized through the Police Department thirty days prior to the event. If security is not approved thirty days prior, the event will be cancelled.

Generally, a minimum of two (20) licensed security guards will be required for events where alcohol is NOT served and attendance will not be greater than 500. Events where approval for alcohol is granted, the minimum requirement will typically be four (4) licensed security guards for up to 500 attendees. These requirements may be changed by the Chief of Police and Parks and Recreation Director depending on the type of event being held and where greater than 500 attendees are expected.

#### **SET-UP & CLEAN UP**

The user shall pay all costs for City Personnel associated with set up and clean up specific to their event.

#### **ALCOHOL**

All alcohol must be purchased, consumed, and discarded in the approved building, in a fenced area or in a designated and controlled section of the facility that has been approved by the Police Chief and the Parks and Recreation Director. No alcohol will be allowed at any time in any other area of the park or facility, including all parking areas. ~~and all~~ All alcohol must be served from a designated and controlled area.

A permit to sell alcohol shall be obtain through a certification porcess from a Tips Training program or any other City approved program.

At no time shall minors be allowed to possess or consume alcohol. It is the responsibility of the user to assure that minors are not in possession of or consuming alcohol at any time.

All events permitted to serve alcohol on Fridays and Saturday evening must stop serving by 10:30 pm for Cattle Call Park and all buildings, 10:00 pm for all public parks. Events approved for any other weekday must finish serving by 9:00 p.m.

#### **SOUND CURFEW**

A sound curfew for events held in Cattle Call Park on Friday and Saturday shall be 11:00 p.m. A sound curfew for events held in public parks on Friday and Saturday shall be 10:00pm. For events held during any other day of the week there shall be a sound curfew of 9:00 p.m. and the facility shall be vacated by 10:00 p.m.

### ***SECTION III ADDITIONAL REQUIREMENTS FOR THE USE OF CATTLE CALL PARK***

#### **PARKING**

Users shall follow strict entrance, exit and parking guidelines, set by the City, for automobiles and pedestrian while in the park.

#### **EQUESTRIAN EVENTS**

All feed, equipment, trash and portable stalls must be removed from the grounds immediately after event and the area cleaned. Road and bike path must be open and available at all times.

#### **USE OF THE LARGE ARENA**

Large arena users are responsible for all ground preparation for the event. Users must request watering schedule and have the use of water trucks or other equipment approved by the department. Users may not add or remove dirt or alter the soil conditions. When using the large arena, bleacher and concrete seating is available. Users must take responsibility for all clean ups. Applications must request concessions and electrical. Vendors are not permitted without departmental approval, and if approved must have all applicable permits. Applicants shall designate the rest rooms that will be needed. Cleaning of rest rooms and grounds during and after the event is their responsibility.

#### **USE OF THE SMALL ARENA**

Small arena users are responsible for any ground preparation. Water for the arena must be requested from the Department, any special watering must be approved. Users may not add or remove dirt or alter the soil conditions.

#### **EQUIPMENT**

The Parks and Recreation Department has no heavy equipment capable of preparing either arena for equestrian events.

#### **PASTURE AREA**

The pasture area may be made available upon request for special event parking. Users cannot alter borders or fences to accommodate their use. The Parks & Recreation Department and the Cattle Call Rodeo Committee must approve parking for the pasture.

#### **LIVESTOCK FACILITIES**

The use of livestock facilities is permitted provided that it does not interfere with any horse boarding operation. Clean-up before and after the event is the responsibility of the user.

#### **PENS**

Using the existing stalls or bringing in portable stalls is permitted provided that it does not interfere with the ongoing horse boarding operations, or block the roadway and bicycle path. Horse boarding stalls must be left alone at all times. Clean-up is required.

#### **OVERNIGHT PARKING**

Overnight parking is permitted during Cattle Call week only, but limited to the terraces and the small arena area.

#### **LIGHTS/ELECTRICAL**

The Cattle Call Arena is equipped with lights for the large arena, the staging area and in the concession restroom area. Security lights are available in the parking area, the small arena and around the park roadway. The announcer's booth, the ticket booths are available for the large arena. Power must be requested. The renter must provide public address systems. Power sources in the arena are limited; individuals or groups may need to bring generators. This is permissible, but must all be done at the user's expense.

### **SECTION IV**

#### **REQUIREMENTS FOR USE OF PUBLIC PARKS OTHER THAN CATTLE CALL**

#### **APPLICATION FOR USE OF SPORTS FACILITIES:**

All person, group or organization using sports facilities must adhere to the above listed guidelines for use of public facilities. Applications to reserve a sports facility must be submitted at least three working days and not more than 60 days prior to time of usage. City staff supervision will not be required unless otherwise specified.

#### **PARK USAGE**

Parks are available to the public on a first come first serve basis and are open unless otherwise specified from sunrise to sunset. Use of the Cattle Call Arena, athletic playing fields, and the use of a park for a special event require the submission of an application.

#### **SPORTS FACILITY USAGE**

The use of ball fields, soccer fields or any other athletic facilities for organized leagues or recreational sporting activities requires departmental approval. First priority is given to City programs organized for youth and adults,

second priority to recognized youth leagues serving Brawley residents, third other youth leagues and then all others users.

Please do not assume that if you have organized a youth or adult league that space will be made available for your program. The City has limited sports facilities, that are heavily utilized by existing City programs and recognized youth and adult leagues. Non-resident participants will be charged a \$10.00 fee for participation in any adult league held in City of Brawley Parks.

#### **PARK LIGHT USAGE**

Park lights must be requested by application. Fees have been established for lighting, tournament play and for the use of bases and chalking equipment.

#### **\*FUN JUMP POLICY:**

Fun Jumpers (Bouncy houses, castles, slides, jumpers, or any similar structures) are permitted in designated parks. The users must receive a permit from the Parks and Recreation Department. To obtain a permit the owner of the jumper must carry liability insurance, possess a current business license, and agree to all conditions set forth by the parks and recreation department. Permits must be obtained 72 hours prior to your event. Water slide or jumpers using water features are prohibited at all times. Jumpers must be self contained.

#### **Parks Areas Designated for Jumpers: (Open grass areas)**

Pat Williams Park, Thornton Park, Alyce Gereaux Park, Plaza Park, Citrus View Park, Ridge Park, and Rotary Park. Jumpers are not permitted on: any baseball, soccer, softball fields, on playgrounds, or on any volleyball, tennis or basketball courts.

The following parks allow jumpers in the specific areas only. **Gonzales Parks** southeast grass area at the corner of E and 2<sup>nd</sup>. **Meserve Parks** grass areas north and south of the tennis courts.

#### **Parks where jumpers are not permitted:**

Lion Center Complex, Wiest Field, Beechey Field, Guadalupe Park, Blake Davis Skate Parks, Elks Youth Building, Cattle Call Arena and Grounds, Del Rio Joint Use Center, Kelley and Kisse Park.

#### **PERMIT FOR LOUDSPEAKERS OR SOUND AMPLIFIERS/ PERMIT FOR PUBLIC ASSEMBLY:**

*Persons using sound amplification outdoors on public property must obtain a permit from the Chief of Police as part of this application process. In addition you will be most likely be required to obtain a public assembly permit. Each permit can be obtained from the Brawley Police Department for a fee of \$11.00 per permit. Proof of permit is required (Ordinance ) \_\_\_\_\_ Section 18.5).*

#### **ROAD CLOSURES**

*Road closure requests (including the closure of any public right-of-way) will only be permitted for users in Group 1 & 2, resident groups, organizations or schools holding a function that provides a community service. Groups 3, 4, and 5 will not be permitted to close public streets (including the closure of any public right-of-ways). The Risk Manager shall determine the insurance requirements for each closure.*

*Request forms for the closure of City streets including any public right-of-way are available at the Parks and Recreation Office. Staff recommends that request be made 30 days in advance of the closure. Once a request has been submitted, staff will forward the request to the Police Department, Risk Management and the Public Works Department. Approval must be granted by both the Police Chief and the Public Works Director. Road closures that require City staff time or City equipment will be charged a minimum of \$250.00.*

***SCHEDULE A – Estimated cost for personnel and equipment***

<b><i>Personnel</i></b>	<b><i>Hourly Rate</i></b>	<b><i>Overtime</i></b>	<b><i>Estimated Hours</i></b>	<b><i>Estimated Fee</i></b>
<b>Parks</b>				
<b>Police</b>				
<b>Public Works</b>				

TOTAL ESTIMATED COSTS FOR PERSONNEL \_\_\_\_\_

***Estimated cost for equipment***

<b><i>Type of Equipment</i></b>	<b><i>Amount Requested</i></b>	<b><i>Fee for usage</i></b>	<b><i>Estimated Cost</i></b>
Trash Bins			
Sewer Vac			
Other			
Other			

Other			

TOTAL ESTIMATED COST FOR EQUIPMENT \_\_\_\_\_

\_\_\_\_\_  
Director of Parks & Recreation

\_\_\_\_\_  
Applicant for use of facilities

### **FACILITY USE FEES**

**GROUP I: Resident groups, organizations, school or churches holding functions, which provide a community service in the area of education, health, or welfare and are free to the participants.**

**GROUP II: Resident groups, organizations, or church groups holding functions which provide a community service in the area of education, recreation, health, or welfare for which the participants are charged.**

**GROUP III: Resident, private party**

**GROUP IV: Non-resident, private party**

**GROUP V: Commercial**

LIONS CENTER	RATE	1* SERVICE	1* NON-SERVICE	2	3	4	5	DEPOSIT
Gym	4 hrs. minimum	N/C	\$ 20/hr.	\$ 40/hr.	\$ 40/hr	\$ 60/hr	\$ 100/hr	\$ 100
Conference Room	Hourly Rate	N/C	\$ 5/hr.	\$ 10/hr.	\$ 10/hr	\$ 20/hr.	\$ 25/hr	\$ 25
Kitchen	Hourly Rate	N/C	\$ 5/hr.	\$ 5/hr	\$ 10/hr.	\$ 20/hr	\$ 25/hr	\$ 25
Entire Facility	4 hrs. minimum	N/C	\$ 25/hr.	\$ 50/hr	\$ 50/hr	\$ 75/hr	\$ 125/hr.	\$ 100

SENIOR CENTER	RATE	1* SERVICE	1*NON-SERVICE	2	3	4	5	DEPOSIT
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Main Hall	4 hrs minimum	N/C	\$ 10/hr	\$ 20/hr	\$ 20/hr.	\$ 40/hr.	\$ 60/hr	\$ 100
Meeting Room	Hourly Rate	N/C	\$ 5/hr	\$ 10/hr	\$ 10/hr	\$ 20/hr	\$ 25/hr	\$ 25
Both Rooms	4 hrs minimum	N/C	\$10/hr	\$ 25/hr	\$ 25/hr	\$ 50/hr	\$ 75/hr	\$ 100

LIONS CENTER POOL	RATE	NUMBER OF GUARDS	1	2	3	4	DEPOSIT
0-100 Swimmers	Hourly Rate	2	\$ 30/hr	\$ 40/hr	\$ 40/hr	\$ 60/hr	\$ 100.00
100-200 Swimmers	Hourly Rate	4	\$ 50/hr	\$ 60/hr	\$ 60/hr	\$ 80/hr	\$ 100.00
200-300 Swimmers	Hourly Rate	6	\$ 60/hr	\$ 80/hr	\$ 80/hr	\$ 100/hr	\$ 100.00

BRAWLEY TEEN CENTER	RATE	1* SERVICE	1* NON-SERVICE	2	3	4	5	DEPOSIT
Recreation Room	Hourly Rate	N/C	\$ 10/hr	\$ 20/hr	\$ 20/hr	\$ 40/hr	\$ 60/hr	\$ 100.00

DEL RIO COMMUNITY CENTER	RATE	1* SERVICE	1* NON-SERVICE	2	3	4	5	DEPOSIT
Center	Hourly Rate	N/C	\$ 25/hr	\$ 50/hr	\$ 50/hr			\$ 300.00

CATTLE CALL ARENA	RATE	1* SERVICE	1* NON-SERVICE	2	3	4	5	DEPOSIT
Large Arena	Flat Rate	N/C	N/C	\$ 100/day	\$ 150/day	\$ 200/day		\$ 500
Horseshow Ring	Flat Rate	N/C	N/C	\$ 25/day	\$ 50/day	\$ 75/day		\$ 500
Arena & Horseshow Ring	Flat Rate	N/C	N/C	\$ 125/day	\$ 200/day	\$ 250/day		\$ 500
Picnic/Concession	Flat Rate	N/C	N/C	\$ 100/day	\$ 100/day	\$ 200/day		\$ 100

#### CITY COUNCIL APPROVED EVENTS FOR THE CATTLE CALL ARENA

CATTLE CALL ARENA	RATE	1	2	5	DEPOSIT
Arena & Concessions	Flat Rate	N/C	\$ 1,000/day	\$ 1,500.00	\$ 1,000
Set up & Clean up days	Flat Rate	N/C	\$ 250/day	\$ 250/day	
Alcohol Permit Fee	Flat Rate	N/C	N/C	\$ 500/day	
Personnel: Parks	Per man hour	Schedule A			

Personnel:					
Public Works	Per man hour	Schedule A			
Personnel:					
Police	Per man hour	Schedule A			
Personnel:					
Overtime	Per man hour	Schedule A			

**CITY COUNCIL APPROVED EVENTS IN CITY PARKS**

City Parks	RATE	1	2	5	DEPOSIT
FIELD USE	Flat Rate	N/C	\$250.00	\$500.00	\$
ALCOHOL PERMIT FEE	Flat Rate	N/C	N/C	\$250.00/day	
PERSONNEL PARKS PUBLICWORKS POLICE OTHER	Per Man Hour	Schedule A			

PUBLIC PARKS	City Program	Youth Program	Adult Leagues	Public	Deposit
Lighted Fields	N/C	N/C	\$20/hr	\$20/hr	
Tournaments	N/C	N/C	\$100.00	\$100.00	\$200.00
<u>Equipment Use – Fee per field</u>		<u>Deposit</u>			
Throw Bases	\$25.00	0			
Bases	\$50.00	\$200.00			
Chalk Equipment	\$25.00	\$200.00			
<b>STREET CLOSURE FEE \$250.00</b>					
<i>Barricades costs and Staff Costs to be paid by the applicant, fees waived for City Sponsored/Co-sponsored events.</i>					
<b>TABLES &amp; CHAIRS</b>	<b>FEE</b>	<b>DEPOSIT</b>			
Seating for 50	\$100.00	\$250.00			
Seating for 100	\$200.00	\$250.00			
Seating for 200	\$400.00	\$250.00			
<i>Fees waived for City sponsored/co-sponsored events.</i>					

*All groups will be required to compensate the city for set up, clean up, personnel, supplies and materials, and if needed, trash bins and the sewer vac truck.*

**SERVICE:** Use of facility during hours when staff is regularly on duty.

**NON-SERVICE:** Use of a facility after working hours, on weekends or holidays.

**DEPOSITS:** Waived upon Director's approval for group one and frequent users.

**FACILITY INFORMATION SHEET**

LIONS CENTER	DIMENSIONS	MAXIMUM OCCUPANCY
Gymnasium	94' x 94'	Assembly 1,200 Dining 500
Kitchen	19' x 29'	Assembly 25
Conference Room	19' x 46'	Assembly 80 Dining 40
<b>EQUIPMENT AVAILABLE</b>		<b>NUMBER</b>
Tables	36' x 72'	40
Chairs	Folding	250
	Stacking	100

**General Information:** the Lions Center was constructed as a recreation center for the citizens of Brawley. The kitchen is not a commercial kitchen and there are very few electrical outlets. Renters should carefully review the facilities capabilities before planning special events.

Parking: Off street 50 spaces, additional on the street

LIONS CENTER POOL	SIZE	MAXIMUM OCCUPANCY
	50 meters 25 yards	400

BRAWLEY SENIOR CENTER	SIZE	MAXIMUM OCCUPANCY
Main Hall	35' x 42'	Assembly 210 Dining 120
Meeting Room	19' x 50'	Assembly 210 Dining 35
Kitchen	20' x 25'	
EQUIPMENT AVAILABLE		NUMBER
Tables	36" x 72"	9
Chairs	Folding High Backed Stacking	25 120

General Information: The Senior Center is available for rental of the meeting room after 5:00 p.m. on weekdays and any time on the weekends. The Main Hall is available for rental on the weekends

Parking: Off-street 30, additional on street

~~BRAWLEY TEEN CENTER - description of facility to be added~~

~~DEL RIO COMMUNITY CENTER- description of facility to be added~~

#### CATTLE CALL ARENA FACILITY INFORMATION:

LARGE ARENA	DIMENSIONS	MAXIMUM OCCUPANCY
	300' X 175'	Section 1 529 Section 2 724 Section 3 544 Section 4 - 9 1,904 Box Seats 895 Section 10 620 Chute Seating 48 Total 5,264

General Information: Sections 1-3 and Section 10 are aluminum bleaches; Section 4-9 and box seating are concrete bleachers. There are three concession areas and four restrooms. Rentals must be approved by both the city of Brawley and the Rodeo Committee.

Pasture area parking: Off- Street

SMALL ARENA	DIMENSIONS	MAXIMUM OCCUPANCY
		Portable Bleachers 100

**COUNCIL AGENDA REPORT**  
City of Brawley

Meeting Date: January 17, 2012

City Manager: 

**FROM:** Prepared by: Ana Gutierrez, Contract Manager  
Presented by: Yazmin Arellano-Torres, P.E., Public Works Director

**SUBJECT:** Award bid to A & R Construction Inc., for Project No. 2011-18, Water Treatment Concrete Slab for an amount of \$10,915.00.

**CITY MANAGER RECOMMENDATION:** Award Bid to A & R Construction Inc. for Project No. 2011-18, Water Treatment Plant Concrete Slab for \$10,915.00 and authorize the City Manager to execute all documentation in relation to this project.

**DISCUSSION:** On December 5, 2011, the City of Brawley, Engineering Department advertised Project No. 2011-18, Water Treatment Concrete Slab. On December 29, 2011, four bids were received as follows:

A & R Construction, Inc. Brawley, CA	\$10,915.00
Team C Construction El Cajon, CA	\$12,700.00
Radco, Inc. Brawley, CA	\$16,500.00
Jim Nelson Construction, Inc. El Centro, CA	\$17,000.00

The local bidding preference factor is not shown. The low bidder is a Brawley Contractor.

**FISCAL IMPACT:** \$10,915.00 Fiscal Budget 2011/2012 Technical Services

**ATTACHMENTS:** Bid Summary

**BID SUMMARY FOR SPECIFICATION NO. 2011-18: Water Treatment Plant Concrete Slab**  
**BID OPEN DATE: December 29, 2011 @ 2:00 PM**

CONTRACTOR	BID SCHEDULE	LOCAL BIDDER PREFERENCE	CONTRACTOR'S CHECKLIST
Radco, Inc. 615 Old Hwy 111 Brawley, CA 92227	<b>\$16,500.00</b>		<input checked="" type="checkbox"/> Proposal <input checked="" type="checkbox"/> Proposal Signature Page <input checked="" type="checkbox"/> Bid Schedule <input checked="" type="checkbox"/> Acknowledge of Addendums <input checked="" type="checkbox"/> Bid Bond <input checked="" type="checkbox"/> Non-Collusion Affidavit <input checked="" type="checkbox"/> Public Contract Code Section 10162 Questionnaire <input checked="" type="checkbox"/> List of Proposed Subcontractors <input checked="" type="checkbox"/> Major Material <input checked="" type="checkbox"/> Debarment and Suspension Certification <input checked="" type="checkbox"/> Nondiscrimination Clause <input checked="" type="checkbox"/> Equal Employment Opportunity Clauses <input checked="" type="checkbox"/> Equal Employment Certification <input checked="" type="checkbox"/> Drug Free Workplace Certification

CONTRACTOR	BID SCHEDULE	LOCAL BIDDER PREFERENCE	CONTRACTOR'S CHECKLIST
Team C Construction 1272 Greenfield Dr. El Cajon, CA 92021	<b>12,700.00</b>		<input checked="" type="checkbox"/> Proposal <input checked="" type="checkbox"/> Proposal Signature Page <input checked="" type="checkbox"/> Bid Schedule <input checked="" type="checkbox"/> Acknowledge of Addendums <input checked="" type="checkbox"/> Bid Bond <input checked="" type="checkbox"/> Non-Collusion Affidavit <input checked="" type="checkbox"/> Public Contract Code Section 10162 Questionnaire <input checked="" type="checkbox"/> List of Proposed Subcontractors <input checked="" type="checkbox"/> Major Material <input checked="" type="checkbox"/> Debarment and Suspension Certification <input checked="" type="checkbox"/> Nondiscrimination Clause <input checked="" type="checkbox"/> Equal Employment Opportunity Clauses <input checked="" type="checkbox"/> Equal Employment Certification <input checked="" type="checkbox"/> Drug Free Workplace Certification

CONTRACTOR	BID SCHEDULE	LOCAL BIDDER PREFERENCE	CONTRACTOR'S CHECKLIST
A&R Construction 1631 River Drive Brawley, CA 92227	10,915.00		<input checked="" type="checkbox"/> Proposal <input checked="" type="checkbox"/> Proposal Signature Page <input checked="" type="checkbox"/> Bid Schedule <input checked="" type="checkbox"/> Acknowledge of Addendums <input checked="" type="checkbox"/> Bid Bond <input checked="" type="checkbox"/> Non-Collusion Affidavit <input checked="" type="checkbox"/> Public Contract Code Section 10162 Questionnaire <input checked="" type="checkbox"/> List of Proposed Subcontractors <input checked="" type="checkbox"/> Major Material <input checked="" type="checkbox"/> Debarment and Suspension Certification <input checked="" type="checkbox"/> Nondiscrimination Clause <input checked="" type="checkbox"/> Equal Employment Opportunity Clauses <input checked="" type="checkbox"/> Equal Employment Certification <input checked="" type="checkbox"/> Drug Free Workplace Certification

CONTRACTOR	BID SCHEDULE	LOCAL BIDDER PREFERENCE	CONTRACTOR'S CHECKLIST
Jim Nelson Construction, Inc. 2305 Holt Rd. El Centro, CA 9243	17,000.00		<input checked="" type="checkbox"/> Proposal <input checked="" type="checkbox"/> Proposal Signature Page <input checked="" type="checkbox"/> Bid Schedule <input checked="" type="checkbox"/> Acknowledge of Addendums <input checked="" type="checkbox"/> Bid Bond <input checked="" type="checkbox"/> Non-Collusion Affidavit <input checked="" type="checkbox"/> Public Contract Code Section 10162 Questionnaire <input checked="" type="checkbox"/> List of Proposed Subcontractors <input checked="" type="checkbox"/> Major Material <input checked="" type="checkbox"/> Debarment and Suspension Certification <input checked="" type="checkbox"/> Nondiscrimination Clause <input checked="" type="checkbox"/> Equal Employment Opportunity Clauses <input checked="" type="checkbox"/> Equal Employment Certification <input checked="" type="checkbox"/> Drug Free Workplace Certification

**COUNCIL AGENDA REPORT**  
City of Brawley

Meeting Date: January 17, 2012

City Manager:

*REM*

**FROM:** Prepared by: Francisco Soto, Building Official  
Presented by: Francisco Soto, Building Official

**SUBJECT:** Abandoned Vehicle Ordinance No. 2010-06

**CITY MANAGER RECOMMENDATION:** Review Abandoned Vehicle Ordinance and provide direction to staff.

**DISCUSSION:** City Council requested this ordinance be presented for review. Enforcement of the ordinance is handled through a joint powers agreement of which the City is a member. The cost for enforcement is paid by a portion of the DMV fees collected in Imperial County. One contractor is used in enforcement by all jurisdictions which participate in this program. The contractor is Fire Prevention Services, Inc. Presently, the jurisdictions participating in this program are Brawley, Calexico and Imperial County.

The Abandoned Vehicle Ordinance is presented for your review. Direction to staff regarding changes to the ordinance is requested.

**FISCAL IMPACT:** Unknown

**ATTACHMENTS:** Ordinance 2010-06 and data regarding enforcement to date

## **Article VIII. - Abandoned Vehicle Abatement <sup>[6]</sup>**

<sup>(6)</sup> **Editor's note**— Ord. No. 2010-06, § 1, adopted May 4, 2010, amended Art. VIII in its entirety and enacted the provisions set out herein. The former Art. VIII, titled Abandoned, wrecked, etc., Vehicles, derived from Ord. No. 655, §§ 1—15.

Sec. 17.99.1. - Abandoned vehicles as nuisances.  
Sec. 17.99.2. - Definitions.  
Sec. 17.99.3. - Exceptions.  
Sec. 17.99.4. - Nonexclusivity of regulation.  
Sec. 17.99.5. - Officer designated.  
Sec. 17.99.6. - Act of abandonment.  
Sec. 17.99.7. - Authority of vehicle abatement officer.  
Sec. 17.99.8. - Authority of private contractor.  
Sec. 17.99.9. - Administration costs.  
Sec. 17.99.10. - Notice of intention to abate.  
Sec. 17.99.11. - Public hearing—Requested.  
Sec. 17.99.12. - Public hearing procedure, action.  
Sec. 17.99.13. - Appeals.  
Sec. 17.99.14. - Vehicle disposal.  
Sec. 17.99.15. - Notice to department of motor vehicles.  
Sec. 17.99.16. - Cost recovery.  
Sec. 17.99.17. - Refusal to abate.  
Sec. 17.99.18. - Severability.

### **Sec. 17.99.1. - Abandoned vehicles as nuisances.**

In addition to and in accordance with the determination made and the authority granted by the State of California under section 22660 of the California Vehicle Code (VC) to remove abandoned, wrecked, dismantled, or inoperative vehicles or parts thereof as public nuisances, the City of Brawley makes the following findings and declarations:

The accumulation and storage of abandoned, wrecked, dismantled, or inoperative vehicles or parts thereof on private or public property not including highways creates a condition tending to reduce the value of private property, to promote blight and deterioration, to invite plundering, to create fire hazards, to constitute an attractive nuisance creating a hazard to the health and safety of minors, to create a harborage for rodents and insects, to be injurious to the health, safety, and general welfare. Therefore, the presence of an abandoned, wrecked, dismantled or inoperative vehicle or parts thereof, on private or public property, not including highways except as expressly permitted in this article, constitutes a public nuisance which may be abated as such in accordance with the provisions of this article.

(Ord. No. 2010-06, § 1, 5-4-10)

### **Sec. 17.99.2. - Definitions.**

As used in this article, the following words and phrases are defined as set out in this section:

"Highway" means a way or place of whatever nature publicly maintained and open to the use of the public for purposes of vehicular travel. Highway includes street.

"Owner of the land" means the owner of the land on which the vehicle, or parts thereof, is located, as shown on the last equalized assessment roll.

"Owner of the vehicle" means the last registered owner and legal owner of record.

"Vehicle" means a device by which any person or property may be propelled, moved, or drawn upon a highway except a device moved by human power or used exclusively upon stationary rails or tracks.

"Public property" does not include highways.

(Ord. No. 2010-06, § 1, 5-4-10)

**Sec. 17.99.3. - Exceptions.**

This article shall not apply to:

- a. A vehicle, or part thereof, which is completely enclosed within a building in a lawful manner where it is not visible from the highway or other public or private property.
- b. A vehicle, or part thereof, which is stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler, licensed vehicle dealer, or a junkyard or when such storage or parking is necessary to the operation of a lawfully conducted business or commercial enterprise.

Nothing in this section authorizes the maintenance of a public or private nuisance as defined under provision of law other than chapter 10 (commencing with section 22650) of division 11 of the Vehicle Code and this Article.

(Ord. No. 2010-06, § 1, 5-4-10)

**Sec. 17.99.4. - Nonexclusivity of regulation.**

This article is not the exclusive regulation of abandoned, wrecked, dismantled, or inoperative vehicles within the unincorporated area of the city. It shall supplement and be in addition to the other regulatory codes, statutes, and ordinances heretofore or hereafter enacted by the City of Brawley, the state, or any other legal entity or agency having jurisdiction.

(Ord. No. 2010-06, § 1, 5-4-10)

**Sec. 17.99.5. - Officer designated.**

Except as otherwise provided herein, the provisions of this article shall be administered and enforced by the vehicle abatement officer as designated by the city manager. In the enforcement of this article, such officers and deputies may enter upon private or public property to examine a vehicle, or parts thereof, obtain information as to the identity of a vehicle, and remove or cause the removal of a vehicle or part thereof declared to be a nuisance pursuant to this article.

(Ord. No. 2010-06, § 1, 5-4-10)

**Sec. 17.99.6. - Act of abandonment.**

It is unlawful and an infraction for any person to abandon, store, leave, or permit the abandonment, storing, or leaving of any licensed or unlicensed vehicle or parts thereof which is abandoned, wrecked, dismantled or inoperative upon any private or public property, including highways, within the city for a period in excess of seventy-two or more consecutive hours unless such vehicle or parts thereof is completely enclosed within a building in a lawful manner where it is not plainly visible from the street or other public or private property, or unless such vehicle is stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler or licensed vehicle dealer or a junkyard.

(Ord. No. 2010-06, § 1, 5-4-10)

**Sec. 17.99.7. - Authority of vehicle abatement officer.**

Upon discovering the existence of an abandoned, wrecked, dismantled or inoperable vehicle, or parts thereof, [on] a private property or public property within the City, the vehicle abatement officer shall have the authority to cause the abatement and removal thereof in accordance with the procedure described in this article.

(Ord. No. 2010-06, § 1, 5-4-10)

**Sec. 17.99.8. - Authority of private contractor.**

When the City has contracted with or granted a franchise to any person or persons, such person or persons shall be authorized to enter upon private property or public property to remove or cause the removal of a vehicle or parts thereof declared to be a nuisance pursuant to this Article.

(Ord. No. 2010-06, § 1, 5-4-10)

**Sec. 17.99.9. - Administration costs.**

The city shall, from time to time, determine and fix an amount to be assessed as administrative costs (excluding the actual cost of removal of any vehicle or part thereof) under this article.

**Sec. 17.99.10. - Notice of intention to abate.**

a. A ten-day notice of intention to abate and remove the vehicle, or parts thereof, as a public nuisance shall be mailed by registered or certified mail to the owner of the land as shown on last equalized assessment roll and to the last registered and legal owner of record, unless the vehicle is in such condition that identification numbers are not available to determine ownership. The notices of intention shall be in substantially the following form:

**NOTICE OF INTENTION TO ABATE AND REMOVE AN  
ABANDONED, WRECKED, DISMANTLED, OR INOPERATIVE  
VEHICLE OR PARTS THEREOF AS A PUBLIC NUISANCE**

(Name and address of owner of the land)

Based on a site inspection of your property, the Vehicle Abatement Officer has determined that conditions exist at the property legally known as \_\_\_\_\_, Assessor's Parcel Numbers

CHAPTER 17. - MOTOR VEHICLES AND TRAFFIC.  
Article VIII. - Abandoned Vehicle Abatement

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ which are not in compliance with City of Brawley Land Use Ordinance. On the subject property there exists an (or parts of an) abandoned, wrecked, dismantled, or inoperative vehicle registered to \_\_\_\_\_, license number \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, which constitutes a public nuisance pursuant to the provision of (Article VIII of Chapter 17 of the Brawley Municipal Code). The Imperial County Tax Assessor's "Current Roll" identifies the above person(s) as the current owners of the subject property.

You are hereby notified to abate said nuisance by the removal of said vehicle (or said parts of a vehicle) within 10 days from the date of mailing of this notice, and upon your failure to do so the same will be abated and removed by the City and the costs thereof, together with administrative costs, will be assessed to you as owner of the land on which said vehicle (or said parts of a vehicle) is located.

As owner of the land on which said vehicle (or said parts of a vehicle) is located, you are hereby notified that you may, within 10 days after the mailing of this notice of intention, request a public hearing and if such a request is not received by the City of Brawley within such 10-day period, the City Vehicle Abatement Officer shall have the authority to abate and remove said vehicle (or said parts of a vehicle) as a public nuisance and assess the costs as aforesaid without a public hearing. You may submit a sworn written statement within such 10-day period denying responsibility for the presence of said vehicle (or said parts of a vehicle) on said land, with your reasons for denial, and such statement shall be construed as a request for a hearing at which your presence is not required. You may appear in person at any hearing requested by you or the owner of the vehicle or, in lieu thereof, may present a sworn written statement in time for consideration at such hearing.

b. A notice of intention to abate shall not be required if (1) the property owner and the owner of the vehicle has signed releases authorizing removal and waives further interest in the vehicle or part thereof, or (2) all the following conditions are satisfied:

- 1) The vehicle or part thereof is inoperable due to the absence of a motor, transmission, or wheels and is incapable of being towed;
- 2) The vehicle or part thereof is valued at less than three hundred dollars by the vehicle abatement office;
- 3) City of Brawley has determined that the vehicle or part thereof is a public nuisance presenting an immediate threat to public health or safety;
- 4) The property owner has signed a release authorizing the removal and waiving further interest in the vehicle or part thereof; and
- 5) The vehicle is located upon a parcel that is either zoned for agricultural use or is not improved with a residential structure containing one or more dwelling units.

If a vehicle is removed pursuant to subdivision (2), prior to final disposition, the registered or legal owner shall be notified of the intent to dispose of the vehicle or parts thereof. If the vehicle or part thereof is not claimed and removed from the scrap yard, automobile dismantler's yard or public disposal area within twelve days after the notice to dispose of vehicle is mailed, final disposition may proceed.

(Ord. No. 2010-06, § 1, 5-4-10)

**Sec. 17.99.11. - Public hearing—Requested.**

Upon request by the owner of the vehicle or owner of the land received by the city's vehicle abatement officer within ten days after the mailing of the notices of intention to abate and remove, a public hearing shall be held by the planning director or his designated subordinate as hearing officer on the question of abatement and removal of the vehicle, or parts thereof, as an abandoned, wrecked, dismantled or inoperative vehicle, and the assessment of the administrative costs and cost of removal of the vehicle, or parts thereof, against the property on which it is located.

If the owner of the land submits a sworn written statement denying responsibility for the presence of the vehicle on his/her land within such ten-day period, said statement shall be construed as a request for a hearing, which does not require his/her presence. Notice of the hearing shall be mailed, by registered mail, at least ten days before the hearing to the owner of the land and to the owner of the vehicle; unless the vehicle is in such condition that identification numbers are not available to determine ownership. If such a request for hearing is not received within said ten days after mailing of the notice of intention to abate and remove, the city shall have the authority to abate and remove the vehicle, or parts thereof, as a public nuisance without holding a public hearing.

(Ord. No. 2010-06, § 1, 5-4-10)

**Sec. 17.99.12. - Public hearing procedure, action.**

All hearings under this article shall be held before the planning director or his designated subordinate as hearing officer, which shall hear all facts and testimony deemed pertinent. Said facts and testimony may include testimony on the condition of the vehicle, or part thereof, and the circumstances concerning the vehicle's location on the private property or public property. The planning director or his designated subordinate as hearing officer shall not be limited by the technical rules of evidence. The owner of the land on which the vehicle is located may appear in person at the hearing or present a written statement in time for consideration at the hearing, and deny responsibility for the presence of the vehicle on the land, with reasons for such denial. The hearing officer may impose such conditions and take such other action as it deems appropriate under the circumstances to carry out the purpose of this article. This may delay the time for removal of the vehicle, or part thereof, if, in the opinion of the hearing officer, the circumstances justify the delay.

At the conclusion of the public hearing, the hearing officer may find that a vehicle, or part thereof, has been abandoned, wrecked, dismantled or is inoperative on private or public property, and by resolution order the same removed from the property as a public nuisance and disposed of as provided in this Article and determine the administrative costs and the cost of removal to be charged against the owner of the parcel of land on which the vehicle, or part thereof, is located. The order requiring removal shall include a description of the vehicle, or part thereof, and the correct identification number and license number of the vehicle, if available at the site.

If it is determined at the hearing that the vehicle was placed on the land without the consent of the land owner and that (s)he has not subsequently acquiesced in its presence, the hearing officer shall not assess costs of administration or removal of the vehicle against the property upon which the vehicle is located or otherwise attempt to collect such costs from such land owner.

If an interested party makes a written presentation to the hearing officer, but does not appear, (s) he shall be notified in writing of the decision.

(Ord. No. 2010-06, § 1, 5-4-10)

**Sec. 17.99.13. - Appeals.**

Any interested party may appeal the decision of the hearing officer by filing a written notice of appeal with the said hearing officer within five days after this decision. Such appeal shall be heard by the city council, which may affirm, amend or reverse the order or take other action deemed appropriate. The city council shall give written notice of the time and place of the hearing to the appellant and those persons specified in the land use ordinance pertaining to hearings on appeals. In conducting the hearing the city council shall not be limited by the technical rules of evidence.

(Ord. No. 2010-06, § 1, 5-4-10)

**Sec. 17.99.14. - Vehicle disposal.**

a. Five days after adoption of the order declaring the vehicle or parts thereof to be a public nuisance or five days from the date of mailing of notice of the decision, as required by section 17.99.11, whichever date is later, the vehicle or parts thereof may be disposed of by removal to a scrap yard or automobile dismantlers yard. If such commercial sites are not available or are inadequate the vehicle/or parts may be disposed at any public disposal, which will accept the same. After a vehicle has been removed, it shall not thereafter be reconstructed or made operable unless it is a vehicle which qualifies for either horseless carriage license plates or historical vehicle license plates pursuant to section 5004 of the California Vehicle Code, in which case the vehicle may be reconstructed or made operable.

b. With respect to abandoned or inoperable vehicles located upon a parcel that is either (1) zoned for agricultural use or (2) not improved with a residential structure containing one or more dwelling units, prior to the final disposition of a vehicle or part therefore where notice pursuant to section 17.99.10 was not required and for which evidence of registration was recovered pursuant to section 17.99.15 the enforcement officer or a contractor or franchise under section 17.99.8 shall provide notice to the registered and legal owners of intent to dispose of the vehicle or part, and if the vehicle or part is not claimed and removed within twelve days after the notice is mailed, from a location specified in Vehicle Code [section] 22662, final disposition may proceed. Neither the city nor a contractor or franchise under this article shall be liable for damage caused to a vehicle or part thereof for removal pursuant to this article.

(Ord. No. 2010-06, § 1, 5-4-10)

**Sec. 17.99.15. - Notice to department of motor vehicles.**

Within five days after the date of removal of the vehicle or parts thereof, notice shall be given to the department of motor vehicles by the persons authorized to remove the vehicle identifying the vehicle or parts thereof removed. At the same time there shall be transmitted to the department of motor vehicles any evidence of registration available, including registration certificates, certificates of title, and license plates.

(Ord. No. 2010-06, § 1, 5-4-10)

**Sec. 17.99.16. - Cost recovery.**

If the administrative costs and the costs of removal which are charged against the owner of a parcel of land pursuant to section 17.99.12 are not paid within thirty days of the date of the order, such costs shall be assessed against the parcel of land pursuant to Government Code section 25845 or 38773.5 and shall be transmitted to the tax collector for collection. Said assessment shall have the same priority

CHAPTER 17. - MOTOR VEHICLES AND TRAFFIC.  
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as other county or city taxes.

(Ord. No. 2010-06, § 1, 5-4-10)

**Sec. 17.99.17. - Refusal to abate.**

It is unlawful and an infraction for any person to fail or refuse to remove an abandoned, wrecked, dismantled, or inoperative vehicle or part thereof, or refuse to abate such nuisance when ordered to do so in accordance with the abatement provisions of this article or state law, where such state law is applicable.

(Ord. No. 2010-06, § 1, 5-4-10)

**Sec. 17.99.18. - Severability.**

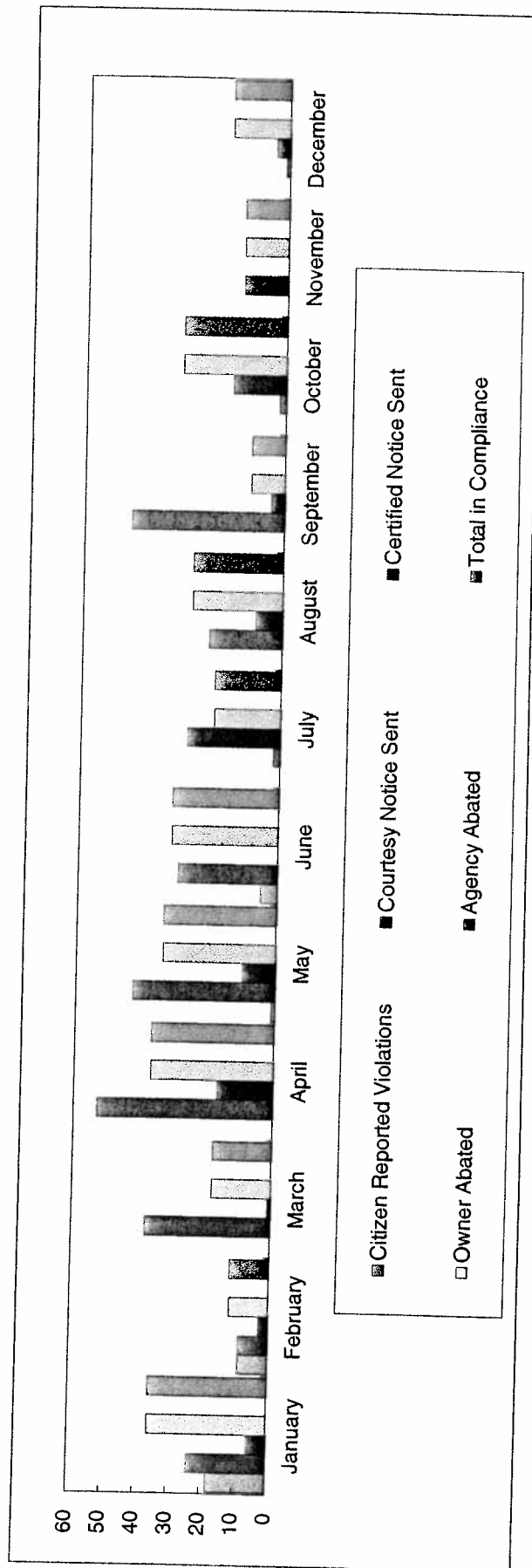
Should any section, subsection, paragraph, clause, or phrase of this Article for any reason be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this Article.

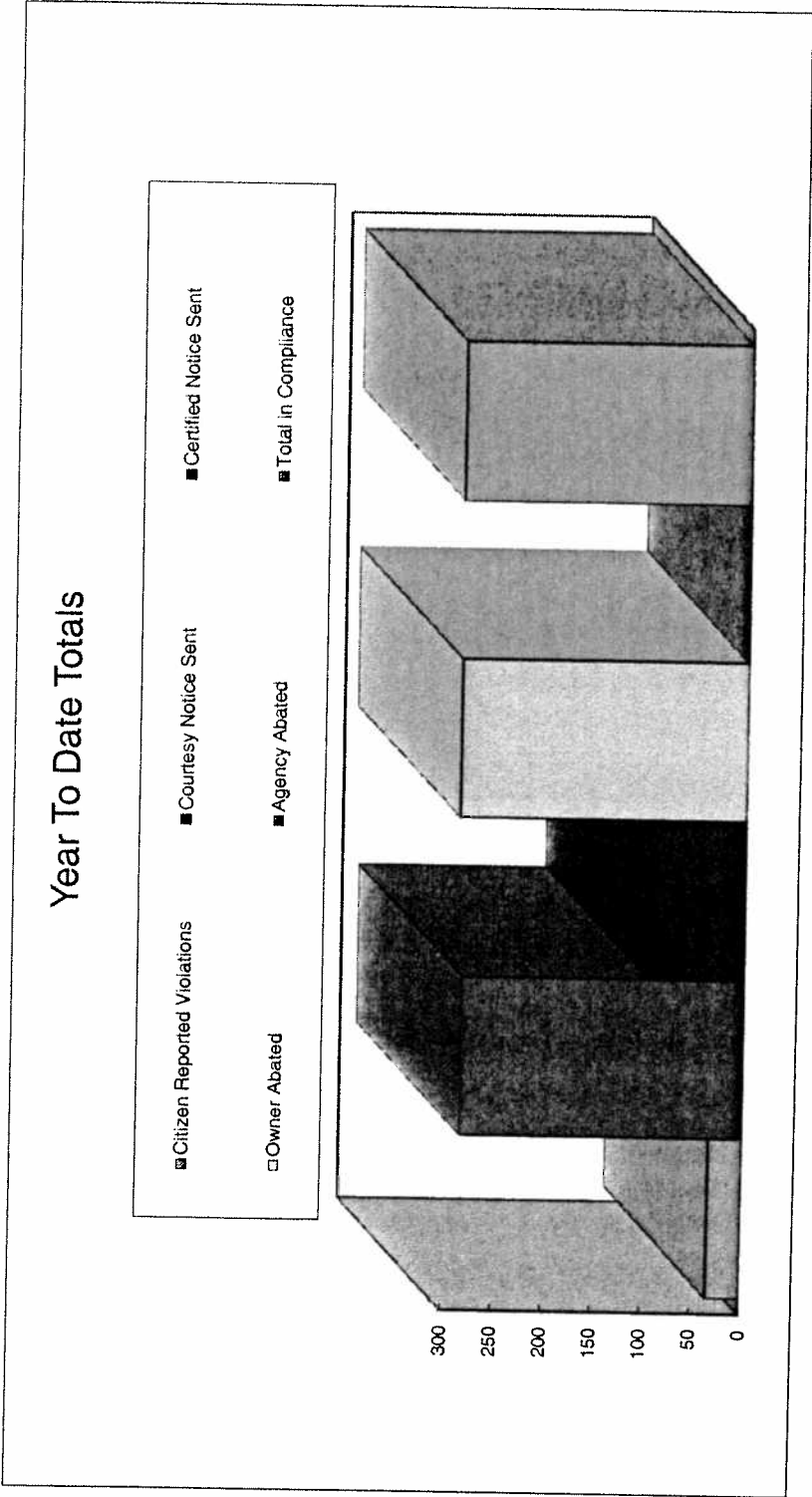
(Ord. No. 2010-06, § 1, 5-4-10)

<sup>(6)</sup> **State Law reference**— Abandoned vehicles, Veh. C, § 22700 et seq. (Back)

# The City of Brawley Abandoned Vehicle Abatement Progress Report December 2011

Month	Citizen Reported Violations	Courtesy Notice Sent	Certified Notice Sent	Owner Abated	Agency Abated	Vehicles in Compliance
January	18	24	6	36	0	36
February	9	9	3	12	0	12
March	0	38	1	18	0	18
April	0	53	17	37	0	37
May	1	43	10	34	0	34
June	5	30	0	32	0	32
July	0	2	28	20	0	20
August	0	22	8	27	0	27
September	0	46	4	10	0	10
October	0	2	16	31	0	31
November	0	13	0	13	0	13
December	0	1	4	17	0	17
<b>Total</b>	<b>33</b>	<b>283</b>	<b>97</b>	<b>287</b>	<b>0</b>	<b>287</b>





**COUNCIL AGENDA REPORT**  
City of Brawley

Meeting Date: January 17, 2012

City Manager:



**FROM:** Prepared by: Ruby Walla, Finance Director  
Presented by: Rosanna Bayon Moore, City Manager

**SUBJECT:** Declaration pursuant to AB 936 with respect to matters of forgiveness of loans, advances, or other indebtedness of the Brawley Community Redevelopment Agency

**CITY MANAGER RECOMMENDATION:** Adopt a resolution making a declaration pursuant to AB 936 with respect to matters of forgiveness of loans, advances, or other indebtedness of the Brawley Community Redevelopment Agency.

**BACKGROUND:** The Brawley Community Redevelopment Agency (the "Agency") is organized and existing pursuant to the California Community Redevelopment Law (Health and Safety Code § 33000, *et seq.*; hereinafter, the "CCRL") and is responsible for the administration of redevelopment activities within the City of Brawley (the "City").

On September 6, 2011, the Governor signed AB 936, which added Article 4.4 (commencing with Section 33354.7) to Chapter 4 of Part 1 of Division 24 of the CCRL, which became effective on January 1, 2012. AB 936 requires an agency or public body to:

- i) Adopt a resolution stating its intention to forgive the repayment of a loan, advance, or indebtedness owed by a public body to the agency or an agency to the public body prior to repayment forgiveness; and
- ii) Before February 1, 2012, adopt a resolution declaring whether it has forgiven the repayment of a loan, advance, or indebtedness owed by a public body or an agency to the public body during the period of time of January 1, 2010 through December 31, 2011.

AB 936 requires that no less than ten (10) days after the adoption of the resolution, the agency or public body shall transmit a copy of the resolution to the legislative body and the California State Controller.

Staff has confirmed that during the period of time from January 1, 2010, through December 31, 2011, the Agency has not forgiven, wholly or partially, repayment of any loans, advances or other indebtedness owed to it by any public body, nor has any public body forgiven, wholly or partially, repayment of any loans,

advances or other indebtedness owed to it by the Agency. Staff has prepared the attached resolution, as required by AB 936, to declare that no such forgiveness has occurred.

**FISCAL IMPACT:** None

**ALTERNATIVES:** Do not approve the Resolution  
Provide staff with alternate direction

**PUBLIC NOTICE REQUIREMENTS:** The proposed action is a business item that does not require a public hearing. All public noticing requirements prescribed by applicable law have been made with respect to this matter.

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*Rosanna Bayon Moore*, City Manager

**ATTACHMENT:** Proposed Resolution

**RESOLUTION NO. 2012-**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRAWLEY, CALIFORNIA  
MAKING A DECLARATION PURSUANT TO AB 936 WITH RESPECT TO MATTERS  
OF FORGIVENESS OF LOANS, ADVANCES, OR OTHER INDEBTEDNESS OF THE  
BRAWLEY COMMUNITY REDEVELOPMENT AGENCY.**

**WHEREAS,** the Brawley Community Redevelopment Agency (the "Agency") is organized and existing pursuant to the California Community Redevelopment Law (Health and Safety Code § 33000, *et seq.*; hereinafter, the "CCRL") and is responsible for the administration of redevelopment activities within the City of Brawley (the "City"); and

**WHEREAS,** on September 6, 2011, the Governor signed AB 936, which added Article 4.4 (commencing with Section 33354.7) to Chapter 4 of Part 1 of Division 24 of the CCRL, which became effective on January 1, 2012; and

**WHEREAS,** AB 936 requires an agency or public body to: i) adopt a resolution stating its intention to forgive the repayment of a loan, advance, or indebtedness owed by a public body to the agency or an agency to the public body prior to repayment forgiveness; and ii) before February 1, 2012, adopt a resolution declaring whether it has forgiven the repayment of a loan, advance, or indebtedness owed by a public body or an agency to the public body during the period of time of January 1, 2010 through December 31, 2011; and

**WHEREAS,** AB 936 requires that no less than ten (10) days after the adoption of the resolution, the agency or public body shall transmit a copy of the resolution to the legislative body and the California State Controller; and

**WHEREAS,** the City has not wholly or partially forgiven the repayment of any loans, advances or indebtedness owed to the City by the Agency during the period of time of January 1, 2010 through December 31, 2011; and

**WHEREAS,** the sole purpose of this Resolution is to comply AB 936 by making a declaration with respect to matters of forgiveness of loans, advances, or other indebtedness of the Agency; and

**WHEREAS,** All of the prerequisites with respect to the approval of this Resolution have been met.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Brawley, as follows:

**Section 1.** The foregoing recitals are true and correct and are a substantive part of this Resolution.

**Section 2.** The City has not wholly or partially forgiven the repayment of any loans, advances or indebtedness owed to the City by the Agency during the period of time of January 1, 2010 through December 31, 2011.

**Section 3.** The City Clerk is hereby authorized and directed to file a certified copy of this

Resolution with the California State Controller within ten (10) days of the adoption of this Resolution.

**APPROVED, PASSED AND ADOPTED** at a regular meeting of the Brawley Community Redevelopment Agency on this 17<sup>th</sup> day of January, 2012.

**CITY OF BRAWLEY, CALIFORNIA  
BRAWLEY COMMUNITY REDEVELOPMENT AGENCY**

\_\_\_\_\_  
**George A. Nava**, Chairman

**ATTEST:**

\_\_\_\_\_  
**Alma Benavides**, Secretary

**STATE OF CALIFORNIA}  
COUNTY OF IMPERIAL}  
CITY OF BRAWLEY}**

**I, ALMA BENAVIDES**, City Clerk of the City of Brawley; California, **DO HEREBY CERTIFY** that the foregoing Resolution No. 2012- was passed and adopted by the Community Redevelopment Agency of the City of Brawley, California, at a regular meeting held on the 17<sup>th</sup> day of January 2012, and that it was so adopted by the following roll call vote:

**AYES:  
NAYES:  
ABSTAIN:  
ABSENT:**

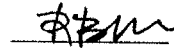
**DATED:** January 17, 2012

\_\_\_\_\_  
**Alma Benavides**, Secretary

**COUNCIL AGENDA REPORT**  
City of Brawley

Meeting Date: January 17, 2012

City Manager:



**FROM:** Prepared By: Ruby Walla, Finance Director  
Presented By: Rosanna Bayon Moore, City Manager

**SUBJECT:** Designation of the City of Brawley as Successor Agency for the Brawley Community Redevelopment Agency

**CITY MANAGER RECOMMENDATION:** Adopt a resolution electing to serve as a successor agency to the Brawley Community Redevelopment Agency pursuant to part 1.85 of the California Community Redevelopment Law and taking certain actions in connection therewith.

**BACKGROUND:** The purpose of this report is to address one outcome of the California Supreme Court's decision in *California Redevelopment Association, et al. v. Matosantos, et al.* (Case No. S194861), the litigation challenging Assembly Bill X1 26 ("AB 26") and Assembly Bill X1 27 ("AB 27"). The Court largely upheld AB 26, which provides for the "wind-down" and subsequent dissolution of redevelopment agencies, and invalidated in its entirety AB 27, which provided for an alternative "voluntary" redevelopment program. The Court held that AB 26 may be severed from AB 27 and enforced independently. In summary, as a result of the decision, all redevelopment agencies will be dissolved as of February 1, 2012<sup>1</sup> (as shown on the attached AB X1 26 Event Schedule); a jurisdiction does not have the option of making remittance payments to enable the continued operation of its redevelopment agency. Accordingly, a successor agency, defined to mean the jurisdiction that authorized the creation of the redevelopment agency, or another entity as defined under CCRL Section 34173 if the sponsoring jurisdiction elects not to serve as the successor agency, will be designated for each dissolved redevelopment agency that will be charged with administering the "wind-down" of the dissolved redevelopment agency and its business affairs. The attached resolution designates the City of Brawley (the "City") to serve as the successor agency (the "Successor Agency") to the Brawley Community Redevelopment Agency (the "Agency").

AB 26, which was signed by the Governor of California on June, 29, 2011, added Parts 1.8 and 1.85 to the California Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*, the "CCRL"). Part 1.8 immediately suspended most redevelopment agency activities. Part 1.85 provides that on October 1, 2011 (extended to February 1, 2012 by the Supreme Court), all existing redevelopment agencies are dissolved, and successor agencies are designated as successor entities to the former

<sup>1</sup> Legislation has been authored (SB 659), but not yet considered by the State Legislature, that proposes an extension to this deadline until April 15, 2012, as well as other deadlines promulgated under AB 26, including some dates already modified by the Supreme Court.

redevelopment agencies. Except for those provisions of the CCRL that are repealed, restricted, or revised pursuant to AB 26, all authority, rights, powers, duties and obligations previously vested with the former redevelopment agencies under the CCRL, are vested in the successor agencies. AB 26 imposes numerous requirements on the successor agencies, including continuing to make payments due on enforceable obligations of the former agency, remitting unencumbered balances of the former agency's funds to the county auditor-controller for distribution to the taxing entities, and disposing of assets and properties of the former agency as directed by a designated oversight board (as defined in the CCRL and further described below).

AB 26, as revised by the Court, requires a jurisdiction which elects not to serve as a successor agency under Part 1.85 to file a copy of a duly authorized resolution of the legislative body to that effect with the county auditor-controller no later than January 13, 2012. AB 26 is ambiguous with respect to the timing and the need for a legislative body to adopt and file a resolution with the county auditor-controller if the legislative body elects to designate the jurisdiction to serve as a successor agency. Should the City Council adopt the attached Resolution, it would officially designate the City as the Successor Agency, thereby eliminating any ambiguity with respect to its intentions.

**OVERSIGHT BOARD COMPOSITION:** The actions of the Successor Agency will be subject to the approval of a designated seven (7) member oversight board, which must be formed on or before May 1, 2012. In Brawley, the oversight board will be comprised of one member each appointed by the Imperial County Board of Supervisors, the City's Mayor, the largest special district by property tax share (with territory in the territorial jurisdiction of what would be the former redevelopment agency, which is of the type of special district that is eligible to receive property tax revenues), the Imperial County Superintendent of Education (i.e., the Superintendent of Schools), the Chancellor of the California Community Colleges, a public member appointed by the Imperial County Board of Supervisors, and a member representing employees of the former Brawley Community Redevelopment Agency appointed by the City's Mayor.

**FISCAL IMPACT:** For the City Council's information, AB 26 provides for the allocation of an administrative cost allowance that equals the greater of: i) up to five percent (5%) of the property tax allocated to the Successor Agency in Fiscal Year 2011-12; ii) up to three percent (3%) of the property tax allocated to the Redevelopment Obligation Retirement Fund (as defined in the CCRL) that is allocated to the Successor Agency in subsequent fiscal years thereafter; or iii) \$250,000. In no event shall the administrative cost allowance be less than \$250,000 per fiscal year, unless the Successor Agency agrees to a lesser amount. Furthermore, this allowance will exclude any administrative costs that can be paid from bond proceeds or sources other than property tax, and the amount is subject to reduction if there is a shortfall of funds available to make payments to taxing entities and to pay debt service on enforceable obligations. Based upon the Brawley Community Redevelopment Agency's projected tax increment allocation for the 2011-12 Fiscal Year, the Successor Agency would be entitled to the \$250,000 administrative cost allowance in Fiscal Year 2011-12 because the amount determined

by the above described formula would only generate an amount equal to approximately \$75,000.

**ALTERNATIVES:** Do not approve the Resolution  
Provide staff with alternate direction

**PUBLIC NOTICE REQUIREMENTS:**

The proposed action is a business item that does not require a public hearing. All public noticing requirements prescribed by applicable law have been made with respect to this matter.

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*Rosanna Bayon Moore*, City Manager

**ATTACHMENTS:** Proposed Resolution  
AB X1 26 Event Schedule

**RESOLUTION NO. 2012-**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRAWLEY, CALIFORNIA  
ELECTING TO SERVE AS A SUCCESSOR AGENCY TO THE BRAWLEY COMMUNITY  
REDEVELOPMENT AGENCY PURSUANT TO PART 1.85 OF THE CALIFORNIA  
COMMUNITY REDEVELOPMENT LAW AND TAKING CERTAIN ACTIONS IN CONNECTION  
THEREWITH**

**WHEREAS,** the Brawley Community Redevelopment Agency (the "Agency") is organized and existing pursuant to the California Community Redevelopment Law (Health and Safety Code § 33000, *et seq.*; hereinafter, the "CCRL") and is responsible for the administration of redevelopment activities within the City of Brawley (the "City"); and

**WHEREAS,** Assembly Bill X1 26 ("AB X1 26") and Assembly Bill X1 27 ("AB X1 27") were signed by the Governor of California on June 29, 2011, making certain changes to the CCRL, including adding Part 1.8 (commencing with CCRL Section 34161) and Part 1.85 (commencing with CCRL Section 34170) to the CCRL; and

**WHEREAS,** on July 18, 2011, the California Redevelopment Association, League of California Cities, City of Union City, City of San Jose and John F. Shirey filed a petition for Writ of Mandate; Application for Temporary Stay and supporting memorandum and declarations with the Supreme Court of the State of California (the "Petition"); and

**WHEREAS,** on August 11, 2011 the California Supreme Court agreed to review the Petition challenging the constitutionality of AB X1 26 and AB X1 27 (collectively, the "Redevelopment Restructuring Acts") and ordered a stay relative to specified portions of the Redevelopment Restructuring Acts; and

**WHEREAS,** on December 29, 2011, the Supreme Court issued its opinion in *California Redevelopment Association, et al. v. Matosantos, et al.* (Case No. S194861) largely upholding AB X1 26, invalidating AB X1 27, and holding that AB X1 26 may be severed from AB X1 27 and enforced independently; and

**WHEREAS,** pursuant to AB X1 26 and the Supreme Court's determination, a process has now begun to wind-down all of California's redevelopment agencies; and

**WHEREAS,** among other matters, AB X1 26 describes a procedure for designation of successor agencies to manage the wind-down process; and

**WHEREAS,** to avoid the possibility of any uncertainty related to one or more ambiguous provisions of AB X1 26 in connection with the identification of successor agencies, it is beneficial that the City of Brawley serve as the successor agency to the Brawley Community Redevelopment Agency pursuant to part 1.85 of the CCRL; and

**WHEREAS,** All of the prerequisites with respect to the approval of this Resolution have been met.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Brawley, as follows:

- Section 1.** The foregoing recitals are true and correct and are a substantive part of this Resolution.
- Section 2.** This Resolution is adopted pursuant to CCRL Section 34173.
- Section 3.** The City Council hereby elects for the City to serve as the successor agency for the Brawley Community Redevelopment Agency under Part 1.85 of the CCRL.
- Section 4.** The officers and staff of the City are hereby authorized and directed, jointly and severally, to do any and all things which they may deem necessary or advisable to effectuate this Resolution, and any such actions previously taken by such officers are hereby ratified and confirmed.
- Section 5.** The adoption of this Resolution is not intended to and shall not constitute a waiver by the City of any right the City may have to challenge the legality of all or any portion of AB X1 26 through administrative or judicial proceedings.
- Section 6.** This Resolution has been reviewed with respect to applicability of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 *et seq.*, hereafter the "Guidelines"), and the City's environmental guidelines. The City Council has determined that this Resolution is not a "project" for purposes of CEQA, as that term is defined within Guidelines Section 15378, because this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment (Guidelines Section 15378(b)(5)).
- Section 7.** The City Clerk is hereby authorized and directed to file a certified copy of this Resolution with the Imperial County Auditor-Controller.

**APPROVED, PASSED AND ADOPTED** at a regular meeting of the Brawley Community Redevelopment Agency on this 17<sup>th</sup> day of January, 2012.

**CITY OF BRAWLEY, CALIFORNIA  
BRAWLEY COMMUNITY REDEVELOPMENT AGENCY**

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**George A. Nava**, Chairman

# AB X1 26 EVENT SCHEDULE<sup>1</sup>

Section	Summary	Original Date	Court Date <sup>2</sup>	Proposed New SB659 Dates <sup>3</sup>	Reason
HS 34170(a)	Sets operative date for Part 1.85	10/1/11	2/1/12	4/15/12	Buy 74 days more time while still keeping \$\$ in current FY
HS 34172(a)(1)	Dissolves RDAs	10/1/11	2/1/12	4/15/12	Buy 74 days more time
HS 34172(b)	Revokes RDA business powers	6/29/11	Unchanged	10/1/11	Clarify b/t effective & operative dates
HS 34173(d)(1)	Election to become successor agency	9/1/11	1/13/12	1/13/12	This date will come & go before we get an extension
HS 34175(b)	Transfer of RDA assets to successor agencies	10/1/11	2/1/12	4/15/12	Conforms to new 4/15/12 dissolution date
HS 34177(a)(1)	Start date for limiting RDA payments to those on EOPS	10/1/11	2/1/12	4/15/12	Conforms to new 4/15/12 dissolution date
HS 34177(a)(3)	Start date for limiting successor agency payments to those on ROPS & for ROPS to supersede SOI	1/1/12	5/1/12	5/1/12	Commences 2 wks after new 4/15/12 dissolution date
HS 34177(a)(5)	Prohibition on successor agency payment acceleration	10/1/11 thru 7/1/12	2/1/11 thru 7/1/12	4/15/12 thru 7/1/12	Conforms to new 4/15/12 dissolution date
HS 34177(0)(2)(A) #1	Deadline for draft ROPS	11/1/11	3/1/12	5/1/12	Conforms to new 4/15/12 dissolution date & keeps 30 day window b/t dissolution & draft ROPS
HS 34177(0)(2)(A) #2	Initial draft of ROPS schedule shall project dates & amounts of scheduled payments for each enforceable obligation	10/1/11 thru 7/1/12	2/1/12 thru 7/1/12	4/15/12 thru 7/1/12	Conforms to new 4/15/12 dissolution date
HS 34177(0)(3) #1	Submission of ROPS to SCO & DOF	12/15/11	4/15/12	5/15/12	Gives successor agencies 30 days from dissolution to submit ROPS
HS 34177(0)(3) #2	ROPS submitted to SCO & DOF shall cover specific time period	Period of 1/1/12 thru 6/30/12	5/1/12 thru 6/30/12	6/1/12 thru 6/30/12	
HS 34177(0)(3) #3	Former RDA payments due & admin. costs incurred before X date payable from specified sources	Period prior to 1/1/12	Period prior to 5/1/12	Period prior to 4/15/12	Conforms to new dissolution date

<sup>1</sup> As originated by Stradling Yocca Carlson & Rauth

<sup>2</sup> In *CRA v. Matosantos*, p. 51, the Court pushed all dates/deadlines between 9/2/11 – 4/30/12 in Part 1.85 of ABx1 26 forward by 4 months.

<sup>3</sup> SB 659 is a Bill that proposes extending certain AB X1 26 related dates. This Bill has not yet been considered by the State Legislature.

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# ABX126 EVENT SCHEDULE

Section	Summary	Original Date	Court Date	Proposed New Dates	Reason
HS 34178(a)	Cut-off date for invalidating contracts b/t RDAs & their parent city/county	Commencing 10/1/11	Commencing 2/1/12	Commencing 10/1/11	Keeps cut-off date as originally intended by Legislature
HS 34179(a)	Oversight Bd. report to DOF deadline	1/1/12	5/1/12	5/1/12	Gives Oversight Bd. 2 wks after dissolution to report
HS 34179(b)	Gov. can fill remaining vacancies on Oversight Bds.	1/15/12	5/15/12	5/15/12	Retains 2 wks for Gov. to fill vacancies
HS 34182(a)(1)	County auditor RDA audit due	3/1/12	7/1/12	7/1/12	
HS 34182(b)	Auditor RDA audit due to SCO	3/15/12	7/15/12	7/1/12	Part of audit completion is delivery to SCO
HS 34182(d)	County auditor tax revenue report due to SCO & DOF	10/1/12	10/1/12	10/1/12	Currently not due for 9 months. Leave as is
HS 34183(a)	County auditor allocation of RDA Tax Trust Fund revenues	10/1/11 thru 7/1/12	2/1/12 thru 7/1/12	4/15/12 thru 7/1/12	Conforms to new dissolution date
HS 34183(a)(1)	County auditor local agency/school preexisting passthrough payment dates	1/16/12 & 6/1/12	5/16/12 & 6/1/12	6/1/12	Consolidates 1/16 & 6/1/ payments for 2012 only
HS 34183(a)(2)	County auditor payment dates to successor agency for ROPS payments	1/16/12 & 6/1/12	5/16/12 & 6/1/12	6/1/12 payment date for 4/15/12 - 12/31/12 period	In out years, payments will be made biannually on 1/16 & 6/1
HS 34183(a)(2)	When 6-mo. ROPS payment period begins for 2012	1/1/12 or 7/1/12	5/1/12 or 7/1/12	Every 1/16 & 6/1 after 2012	Total 2012 payment made in 34182(a)(2) #1, above
HS 34183(a)(3)	County auditor payment dates to successor agency for admin. costs	1/16/12 & 6/1/12	5/16/12 & 6/1/12	6/1/12	Consolidates 1/16/12 & 6/1/12 payments
HS 34183(a)(4)	County auditor distribution of remaining \$\$ in RDA Tax Trust Fund to local agencies & schools	1/16/12 & 6/1/12	5/16/12 & 6/1/12	6/1/12	Consolidates 1/16/12 & 6/1/12 payments
HS 34183(b)	Deadline for successor agency to report insufficient \$\$ to make required payments	No later than 12/1/11 & 5/1/12	No later than 4/1/12 & 5/1/12	No later than 5/15/12	
New HS 34183(e)	Schedule for auditor to make payments to RDAs, and then successor agencies, for EOPS payments	n/a	n/a	2/1/12 thru 4/15/12 for RDAs & 4/15/12 thru 6/1/12 for successor agencies	Avoids bond defaults by providing authority for RDAs to pay debt service during extension period to 4/15/12
HS 34185	Date when auditor commences transferring \$\$ from the RDA Tax Trust Fund of each successor agency into the agency's ROPS fund	1/16/12	5/16/12	5/1/12	Same day as draft ROPS is due

# AB XI 26 EVENT SCHEDULE<sup>1</sup>

<u>Section</u>	<u>Summary</u>	<u>Original Date</u>	<u>Court Date<sup>2</sup></u>	<u>Proposed New SB659 Dates<sup>3</sup></u>	<u>Reason</u>
<b>HS 34187</b>	When ROPS obligation is retired, auditor then sends \$\$ to taxing entities	1/1/12	5/1/12	5/1/12	Same day as draft ROPS is due
<b>RTC 97.401</b>	Requires auditor to start making calculations RE amt. deposited on behalf of each former RDA in RDA Tax Trust Fund	10/1/11	2/1/12	4/15/12	Conforms to new dissolution date

**COUNCIL AGENDA REPORT**  
City of Brawley

Meeting Date: January 17, 2012

City Manager: 

**FROM:** Prepared by: Rosanna Bayon Moore, City Manager  
Presented by: Rosanna Bayon Moore, City Manager

**SUBJECT:** Video Documentation of Brawley City Council Meetings

**CITY MANAGER RECOMMENDATION:** Initiate four month trial of video documentation of Brawley City Council meetings.

**DISCUSSION:** To increase community awareness of public policy decisions, a four month trial period is proposed for the video documentation of Brawley City Council meetings.

Meetings will be accessible via the City of Brawley website. Within a 72 hour period, video content will be posted to the website and organized by date and individual agenda titles.

**FISCAL IMPACT:** \$400 per public meeting for the first two hours, each hour thereafter will be charged at a rate of \$100 per hour, estimated at a value not to exceed \$2,000.

**ATTACHMENTS:** Project Authorization prepared by Spectrum Advertising and dated December 16, 2012.



**SPECTRUM**

Advertising

**PROJECT AUTHORIZATION**

750 MAIN STREET  
EL CENTRO, CALIFORNIA  
TEL +760 353.7000  
FAX +760 353.6956  
SPECTRUMAD.COM

**Date:** December 16, 2011  
**Client:** City of Brawley  
**To:** City Manager Office  
**From:** Fernando Zavala  
**Project Title:** **2012 City Council Meetings**

**Meetings:**

Our trained videographer will operate a portable HD Pan/Tilt camera and digitally record assigned meetings to a hard drive. Meetings are then encoded and uploaded to a custom City of Brawley branded video player.

**AgendaSync™**

The Imperial Irrigation District's participation with "The Public Spectrum" has enabled individual agenda items to be inked to the recorded portion of each meeting agenda. AgendaSync™ allows viewers to easily select agenda items and go instantly to that portion of each meetings video saving valuable time.

**Broadcasting:**

To promote good will within the community, the Imperial Irrigation District has afforded Spectrum Advertising's IVNewsday, through a Letter of Intent with Time Warner Cable to "provide access each Monday to Channel 10 between the hours of 6:30p to 11p"

**Video Player:**

This agreement includes a custom, branded to the City of Brawley, video player embedded with applicable links to/from [www.brawley-ca.gov](http://www.brawley-ca.gov) home page.

**Storage:**

Spectrum uses state-of-the-art storage of all recorded meetings in two separate locations. First line of storage is maintained at the Spectrum office on secured back-up Blu Ray discs. All files are further backed up and stored off site within our nation's largest web based servers. This secure archival system ensures the safest possible storage with the quickest access. Spectrum will also provide a standard playing DVD for each meeting to the City.

**Cost: \$400 per 2 hour meeting including TPS**

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Client Authorization Signature/ Date

Meetings exceeding 2 hours will be billed \$100 per hour

**COUNCIL AGENDA REPORT**  
City of Brawley

Meeting Date: January 17, 2012

City Manager:



**FROM:** Prepared by: Ruby Walla, Finance Director  
Presented by: Rosanna Bayon Moore, Executive Director

**SUBJECT:** Declaration pursuant to AB 936 with respect to matters of forgiveness of loans, advances, or other indebtedness of the Brawley Community Redevelopment Agency

**CITY MANAGER RECOMMENDATION:** That the Community Redevelopment Agency adopt a Resolution making a declaration pursuant to AB 936 with respect to matters of forgiveness of loans, advances, or other indebtedness of the Brawley Community Redevelopment Agency.

**BACKGROUND:** The Brawley Community Redevelopment Agency (the "Agency") is organized and existing pursuant to the California Community Redevelopment Law (Health and Safety Code § 33000, *et seq.*; hereinafter, the "CCRL") and is responsible for the administration of redevelopment activities within the City of Brawley (the "City").

On September 6, 2011, the Governor signed AB 936, which added Article 4.4 (commencing with Section 33354.7) to Chapter 4 of Part 1 of Division 24 of the CCRL, which became effective on January 1, 2012. AB 936 requires an agency or public body to:

- i) Adopt a resolution stating its intention to forgive the repayment of a loan, advance, or indebtedness owed by a public body to the agency or an agency to the public body prior to repayment forgiveness; and
- ii) Before February 1, 2012, adopt a resolution declaring whether it has forgiven the repayment of a loan, advance, or indebtedness owed by a public body or an agency to the public body during the period of time of January 1, 2010 through December 31, 2011.

AB 936 requires that no less than ten (10) days after the adoption of the resolution, the agency or public body shall transmit a copy of the resolution to the legislative body and the California State Controller.

Staff has confirmed that during the period of time from January 1, 2010, through December 31, 2011, the Agency has not forgiven, wholly or partially, repayment of any loans, advances or other indebtedness owed to it by any public body, nor has any public body forgiven, wholly or partially, repayment of any loans, advances or other indebtedness owed to it by the Agency. Staff has prepared the attached resolution, as required by AB 936, to declare that no such forgiveness has occurred.

**FISCAL IMPACT:** None

**ALTERNATIVES:** Do not approve the Resolution  
Provide staff with alternate direction

**PUBLIC NOTICE REQUIREMENTS:** The proposed action is a business item that does not require a public hearing. All public noticing requirements prescribed by applicable law have been made with respect to this matter.

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*Rosanna Bayon Moore*, Executive Director

**ATTACHMENT:** Proposed Resolution

**RESOLUTION NO. 2012-**

**RESOLUTION OF THE BRAWLEY COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF BRAWLEY, CALIFORNIA MAKING A DECLARATION PURSUANT TO AB 936 WITH RESPECT TO MATTERS OF FORGIVENESS OF LOANS, ADVANCES, OR OTHER INDEBTEDNESS OF THE BRAWLEY COMMUNITY REDEVELOPMENT AGENCY.**

**WHEREAS,** the Brawley Community Redevelopment Agency (the "Agency") is organized and existing pursuant to the California Community Redevelopment Law (Health and Safety Code § 33000, *et seq.*; hereinafter, the "CCRL") and is responsible for the administration of redevelopment activities within the City of Brawley (the "City"); and

**WHEREAS,** on September 6, 2011, the Governor signed AB 936, which added Article 4.4 (commencing with Section 33354.7) to Chapter 4 of Part 1 of Division 24 of the CCRL, which became effective on January 1, 2012; and

**WHEREAS,** AB 936 requires an agency or public body to: i) adopt a resolution stating its intention to forgive the repayment of a loan, advance, or indebtedness owed by a public body to the agency or an agency to the public body prior to repayment forgiveness; and ii) before February 1, 2012, adopt a resolution declaring whether it has forgiven the repayment of a loan, advance, or indebtedness owed by a public body or an agency to the public body during the period of time of January 1, 2010 through December 31, 2011; and

**WHEREAS,** AB 936 requires that no less than ten (10) days after the adoption of the resolution, the agency or public body shall transmit a copy of the resolution to the legislative body and the California State Controller; and

**WHEREAS,** the City has not wholly or partially forgiven the repayment of any loans, advances or indebtedness owed to the City by the Agency during the period of time of January 1, 2010 through December 31, 2011; and

**WHEREAS,** the sole purpose of this Resolution is to comply AB 936 by making a declaration with respect to matters of forgiveness of loans, advances, or other indebtedness of the Agency; and

**WHEREAS,** All of the prerequisites with respect to the approval of this Resolution have been met.

**NOW, THEREFORE, BE IT RESOLVED** by the Brawley Community Redevelopment Agency, as follows:

**Section 1.** The foregoing recitals are true and correct and are a substantive part of this Resolution.

**Section 2.** The City has not wholly or partially forgiven the repayment of any loans, advances or indebtedness owed to the City by the Agency during the period of time of January 1, 2010 through December 31, 2011.

**Section 3.** The Agency Secretary is hereby authorized and directed to file a certified copy of this

Resolution with the California State Controller  
within ten (10) days of the adoption of this  
Resolution.

**APPROVED, PASSED AND ADOPTED** at a regular meeting of the Brawley  
Community Redevelopment Agency on this 17<sup>th</sup> day of January, 2012.

**CITY OF BRAWLEY, CALIFORNIA  
BRAWLEY COMMUNITY REDEVELOPMENT AGENCY**

\_\_\_\_\_  
**George A. Nava**, Chairman

**ATTEST:**

\_\_\_\_\_  
**Alma Benavides**, Secretary

**STATE OF CALIFORNIA}  
COUNTY OF IMPERIAL}  
CITY OF BRAWLEY}**

I, **ALMA BENAVIDES**, City Clerk of the City of Brawley; California, **DO  
HEREBY CERTIFY** that the foregoing Resolution No. 2012- was passed and adopted  
by the Community Redevelopment Agency of the City of Brawley, California, at  
a regular meeting held on the 17<sup>th</sup> day of January 2012, and that it was so  
adopted by the following roll call vote:

**AYES:  
NAYES:  
ABSTAIN:  
ABSENT:**

**DATED:** January 17, 2012

\_\_\_\_\_  
**Alma Benavides**, Secretary